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FOOD AND DRUGS ACT
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NOTICES OF JUDGMENT Nos. 8001-8500
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UNITED STATES
DEPARTMENT OF AGRICULTURE

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8001-8050.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 22, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8001. Adulteration and misbranding of apple cider base, apple cider, and apple base cider. U. S. * * * v. National Fruit Products Co. Plea of guilty. Fine, \$500. (F. & D. No. 11429. I. S. Nos. 7777-p, 7778-p, 7779-p, 7780-p, 7781-p, 12048-p, 12049-p, 10709-p, 15326-p, 16142-r, 17580-r, 17583-r, 17584-r, 17636-r, 17637-r.)

On April 19, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the National Fruit Products Co., a corporation, Memphis, Tenn., alleging shipment by said defendant company, on or about December 14, 1917, January 4, 23, and 26, 1918, March 27, 1918, April 13 and 22, 1918, December 9, 1918, March 15, 1919, April 28, 1919, and May 6, 1919, from the State of Tennessee into the States of Georgia, Louisiana, Florida, and Texas, in violation of the Food and Drugs Act, as amended, of quantities of apple cider base, apple cider, and apple base cider, which were adulterated and misbranded. The articles were labeled in part, "Apple Cider Base Contains Apple Juice fermented with Corn Sugar and water. * * * National Fruit Products Co. Memphis, Tenn.," "Apple Base Cider Contains Apple Juice fermented with Corn Sugar and water, Sweetened with Saccharine. Colored with Certified Colors. * * * National Fruit Products Co. Memphis, Tenn.," "Apple Cider Sweetened with Saccharine. Contains 1-10 of 1% Benzoate of Soda. * * * National Fruit Products Co.," and "Apple Cider 1-10 of 1% Benzoate Soda. Colored with Certified Colors. National Fruit Products Co. Memphis, Tenn."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the articles consisted essentially of a mixture of water, alcohol, glucose or corn sugar, and a small amount of some apple product sweetened with saccharin, except the apple cider in the shipment of February 5, 1919, which consisted of an apple product, glucose, alcohol, and water. The apple cider also contained benzoate of soda.

Adulteration of the article was alleged in the information with respect to the shipments of December 14, 1917, January 4, 23, and 26, 1918, April 22, 1918, March 15, April 28, and May 6, 1919, for the reason that saccharin had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality, and had been substituted in part for apple cider base or apple

base cider, which the article purported to be. Adulteration was alleged with respect to the shipment of February 5, 1919, for the reason that an article consisting of an apple product, glucose, alcohol, and water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality, and had been substituted in part for apple cider or apple base cider, which the article purported to be.

Misbranding of the article was alleged in the information with respect to the shipments of December 14, 1917, January 4, 23, and 26, 1918, and April 22, 1918, in that the statements "Apple Cider Base," "Apple Base Cider," and "Contains Apple Juice fermented with corn sugar and water," borne on the kegs containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser, in that they represented that said article contained as its principal constituent some product of apples, whereas, in truth and in fact, it consisted principally of a mixture of glucose and water sweetened with saccharin. Misbranding of the article was alleged with respect to the shipments of March 15, 1919, April 28, 1919, and May 6, 1919, for the reason that the article was labeled in conspicuous type "Apple Cider" so as to deceive and mislead purchasers into the belief that it was apple cider, whereas, in truth and in fact, it was not, but was a mixture of some apple product, glucose, water, saccharin, and benzoate of soda.

Misbranding was alleged with respect to the shipments of March 27, 1918, April 13, 1918, and December 9, 1918, for the reason that the article was an imitation of another article, to wit, cider, and was offered for sale and sold under the distinctive name of another article. Misbranding was alleged with respect to the shipment of April 13, 1918, in that it was an imitation of port, that is to say, apple cider colored so as to imitate port, and was offered for sale and sold under the distinctive name of another article. Misbranding was alleged with respect to the foregoing shipments in that the statement "Apple Cider" was false and misleading, and the article was labeled so as to deceive and mislead the purchaser, in that it represented to purchasers that it was apple cider, whereas, in truth and in fact, it was not. Misbranding was alleged with respect to the shipment of February 5, 1919, for the reason that it was labeled "Apple Cider" when it was not, and for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$20 on each of the 25 counts, the total amount assessed being \$500.

E. D. BALL, *Acting Secretary of Agriculture*

**8002. Misbranding of cottonseed cake and cottonseed meal. U. S. * * *
v. Apache Cotton Oil & Mfg. Co., a Corporation. Plea of guilty.
Fine, \$600. (F. & D. No. 11613. I. S. Nos. 11958-r, 11959-r, 11960-r,
11961-r, 11983-r, 11989-r.)**

On March 24, 1920, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Apache Cotton Oil & Mfg. Co., a corporation, Chickasha, Okla., alleging shipment by said defendant, on or about January 10, January 22, January 30, February 2, and February 7, 1919, in violation of the Food and Drugs Act, as amended, from the State of Oklahoma into the State of Kansas, of quantities of an article which was misbranded.

Examination of each shipment showed that the sacks bore no statement of the quantity of the contents.

Misbranding of the article in each shipment was alleged in that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On April 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$600.

E. D. BALL, *Acting Secretary of Agriculture.*

8003. Adulteration and misbranding of olive oil. U. S. * * * v. Achilles Joannidi (heretofore Copartner with Panos Perides). Plea of guilty. Fine, \$125. (F. & D. No. 11791. I. S. Nos. 13733-r, 17878-r.)

On May 5, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Achilles Joannidi, heretofore copartner with Panos Perides, trading under the name of Joannidi & Perides, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on November 14, 1918, and March 3, 1919, from the State of New York into the States of Connecticut and New Jersey, of quantities of an article which was adulterated and misbranded. The article in the shipment of November 14 was labeled in part, "La Marca Famosa Olio il Greco Brand Calamata Style packed by Joannidi & Perides New York." The article in the shipment of March 3 was unlabeled, but had been invoiced as "Spanish Oil."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted almost entirely of cottonseed oil, and in the shipment of November 14 the cans were short volume.

Adulteration of the article labeled in part "La Marca Famosa" was alleged in the information in that cottonseed oil had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality. It was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article labeled "La Marca Famosa" was alleged in that the statements on the labels on the cans containing the article, regarding the article, to wit, "Olio il Greco Brand Calamata Style," "La Marca Famosa," and "One Gallon Net," were false and misleading in that they represented that the article was olive oil produced in the kingdom of Greece, and that each can contained 1 gallon net of the article, whereas, in truth and in fact, the article was not olive oil produced in the kingdom of Greece, but was a mixture composed in part of cottonseed oil produced in the United States of America, and each can did not contain 1 gallon net of the article, but did contain a less amount. The article was further misbranded in that it was falsely branded as to the country in which it was produced in that it was branded as a product produced in the kingdom of Greece, whereas it was produced in the United States of America. The article was further misbranded in that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was olive oil produced in the kingdom of Greece, and that each can contained 1 gallon net of the article, whereas it was not olive oil produced in the kingdom of Greece, but was a mixture of cottonseed oil produced in the United States of America, and each can contained less than 1 gallon net of the article. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Adulteration of the article in the other shipment was alleged in the libel in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality. Further

adulteration was alleged in that cottonseed oil had been substituted in part for Spanish oil, to wit, olive oil, which the article purported to be.

Misbranding of the article was alleged in that each can contained an article of food which bore no labels, but which was invoiced as "Spanish Oil" and was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$125.

E. D. BALL, *Acting Secretary of Agriculture.*

8004. Adulteration and misbranding of tuna fish. U. S. * * * v. 1,265 Boxes, More or Less, of Tuna Fish. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11890. I. S. No. 7347-r. S. No. C-1684.)

On January 19, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled "Tuna Fish," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on November 3, 1919, by the United Tuna Packers, Inc., Wilmington, Calif., transported from the State of California into the State of Tennessee, and reshipped from the State of Tennessee into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that the article was sold and shipped as blue fin tuna fish, whereas other articles, to wit, striped tuna (*Gymnosarda plectamis*), bonito (*Sarda chilensis*), and albacore (*Germo alalunga*), had been substituted in whole or in part for said blue fin tuna fish, which the article purported to be.

Misbranding of the article was alleged in that the statement on the labels on the cans containing the article, regarding the article, to wit, "Abbey Brand California Tuna * * * Blue Fin Tuna S. G. & Co.," was false and fraudulent, and misled and deceived the purchaser in that it purported and represented that the article was blue fin tuna fish, whereas, in truth and in fact, it was not.

On May 1, 1920, the United Tuna Packers, Inc., claimants, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8005. Adulteration and misbranding of tomatoes. U. S. * * * v. 675 Cases of Warwick Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 1189. I. S. No. 15924-r. S. No. E-1923.)

On January 23, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Warwick Brand Tomatoes," remaining unsold in the original unbroken packages at Philadelphia, Pa., consigned by Noah Webster, Cambridge, Md., alleging that the article had been shipped on or about November 1, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that added juice had been mixed and packed with the tomatoes so as to reduce, lower, and injuriously affect their quality and strength, and had been substituted in whole or in part for the article.

Misbranding of the article was alleged in that the statements, designs, and devices regarding the article, to wit, "Tomatoes * * *," "We strive for quality and purity * * * Tomatoes," and the design of a ripe red tomato, were false and misleading in that they indicated that the package contained tomatoes only, whereas, in truth and in fact, it contained substances other than tomatoes.

On March 15, 1920, Noah Webster, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8006. Adulteration and misbranding of tuna fish. U. S. * * * v. 1,258 Cases, More or Less, of Tuna Fish. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12185. I. S. Nos. 8314-r, 8315-r. S. No. C-1765.)

On February 19, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain number of cases of tuna fish, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 14, 1920, by the United Tuna Packers, Inc., Wilmington, Calif., and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it had been sold and shipped as tuna fish, whereas bonito fish had been substituted in whole or in part for tuna fish.

Misbranding of the article was alleged in that the statements, words, and figures on the label on each can containing the article, to wit, "Abbey Brand California Tuna. Net Weight, 6½ oz. Packed in winter pressed cottonseed oil. Packed and guaranteed by the United Tuna Packers, Inc., Wilmington, California," purported and represented that the article was tuna fish, whereas the article was bonito fish.

On May 1, 1920, the United Tuna Packers, Inc., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8007. Misbranding of Texas Wonder. U. S. * * * v. 6 Dozen Bottles, More or Less, of a Certain Drug, Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12539. I. S. No. 8169-r. S. No. C-1875.)

On April 9, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of a drug, labeled "Texas Wonder," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the

article had been shipped on or about November 1, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in that certain statements on the label on the carton enclosing, on the bottle containing, and in the circular accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for kidney and bladder troubles, weak and lame backs, rheumatism and gravel, regulating bladder trouble in children, rheumatism and kindred diseases, diabetes, stone in the kidneys, inflammation of the bladder, and tuberculosis of the kidneys, whereas, in truth and in fact, it was not so effective.

On May 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8808. Misbranding of Simpson's Vegetable Compound and Iodide of Potassium. U. S. * * * v. 2 Dozen Bottles, More or Less, of a Certain Drug, Simpson's Vegetable Compound and Iodide of Potassium. **Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12541. I. S. No. 8279-r. S. No. C-1877.)

On April 9, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying for the seizure and condemnation of a certain article of drug, labeled in part "Simpson's Vegetable Compound and Iodide of Potassium," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on August 22, 1919, by Dr. A. B. Simpson Co., Richmond, Ind., and transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a potassium iodid, unidentified plant extractives, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article on the label on the bottles containing, on the carton enclosing, and in the circular accompanying the article, falsely and fraudulently represented the article to be effective for all diseases depending on a depraved condition of the blood, scrofula, scrofulous diseases of the eyes, or scrofula in any form, and erysipelas, old sores, boils, ulcers, pimples, blotches, and any diseases or eruption of the skin, rheumatism and pain in the limbs, bones, etc., scald head, salt rheum, reter, long-standing diseases of the liver, catarrhal affections of all kinds, syphilis in all its forms or the diseases that it entails, scrofula, old sores, boils, ulcers, inflamed eyes, pimples, blotches, inflammatory rheumatism, * * * blood poisoning, inflamed eyes, eruptions, contagious blood poison (syphilis) * * * eczema, * * *," whereas, in truth and in fact, it was not effective for the diseases and disorders named.

On May 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8009. Adulteration of smoked fish. U. S. * * * v. 286 Boxes of Smoked Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12568. I. S. No. 8251-r. S. No. C-1873.)

On or about March 31, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying for the seizure and condemnation of a certain quantity of smoked fish, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 9, 1920, by the David H. Lane Co., Gloucester, Mass., and transported from the State of Massachusetts into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8010. Misbranding of gluten feed. U. S. * * * v. William B. Woolner, Sam Woolner, Jr., and Alfred Woolner (Continental Cereal Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 6363. I. S. No. 3570-1.)

On April 9, 1918, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William B. Woolner, Sam Woolner, Jr., and Alfred Woolner (Continental Cereal Co.), alleging shipment by said company, on or about December 13, 1915, from the State of Illinois into the State of New York, of a quantity of gluten feed which was misbranded. The article was labeled: (Tag) "100 Lbs. Continental Gluten Feed. Protein 29 per cent. Minimum to 34 per cent. Maximum Fat 10 per cent. Minimum to 15 per cent. Maximum Fiber 7 per cent. Minimum to 10 per cent. Maximum A Distillery By-Product Manufactured from Corn, Oats, Rye and Barley Manufactured by Continental Cereal Company Peoria, Illinois;" (sack) "100 lbs. Continental Gluten Feed Fat 10% Minimum to 15% Maximum Protein 29% Minimum to 34% Maximum. Continental Cereal Co., Peoria, Ill. U. S. A."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Ether extract (crude fat)-----	8.0
Protein -----	25.8
No rye was found.	

Misbranding of the article was alleged in the information for the reason that the statement, "Fat 10 per cent. Minimum to 15 per cent. Maximum Protein 29 per cent. Minimum to 34 per cent. Maximum," borne on the labels thereof, was false and misleading, and the article was labeled so as to deceive and mislead the purchaser thereof, in that it represented to purchasers that the said article contained not less than 10 per cent of fat and not less than 29 per cent of protein, whereas, in truth and in fact, the article did contain less than 10 per cent of fat and did contain less than 29 per cent of protein. Misbranding was alleged for the further reason in that the statement "Manufactured from Corn, Oats, Rye and Barley" was false and misleading and deceived and misled the

purchaser in that it represented to purchasers that the article contained rye, whereas, in truth and in fact, the said article contained no rye.

On December 9, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8011. Misbranding of cottonseed meal. U. S. * * * Planters Oil Mill & Gin Co., a Corporation Plea of guilty. Fine, \$100 and costs. (F. & D. No. 7657. I. S. No. 19088-1.)

On October 1, 1917, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Oil Mill & Gin Co., a corporation, Kosciusko, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 17, 1915, from the State of Mississippi into the State of Indiana, of a quantity of an article, labeled in part "Owl Brand High Grade Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 34.9 per cent of protein and 16.6 per cent of crude fiber.

Misbranding of the article was alleged in substance in the information for the reason that the statements regarding the article and the ingredients and substances contained therein, appearing on the label, to wit, "Guaranteed Analysis * * * Protein 41% * * * Fibre Maximum 10%" and "These are minimum guarantees Frequently runs higher," were false and misleading in that they indicated to purchasers thereof that the article contained not less than 41 per cent of protein and not more than 10 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of fiber, when, in truth and in fact, it contained less than 41 per cent of protein and more than 10 per cent of fiber, to wit, 34.9 per cent of protein and 16.6 per cent of fiber.

On October 6, 1919, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8012. Misbranding of White's Wonder Worker. U. S. * * * v. George W. Smith (W. W. W. Medicine Co.). Plea of guilty. Fine, \$20 and costs. (F. & D. No. 8672. I. S. No. 10776-m.)

On March 4, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George W. Smith, trading as the W. W. W. Medicine Co., Pickering, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 10, 1917, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "White's Wonder Worker," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of magnesium sulphate, quassia, ginger, caramel, water, and 8.2 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the label of said article, falsely and fraudulently represented it to be effective as a remedy for malaria,

rheumatism, catarrh, scrofula, blood poison, syphilis, all kidney and liver complaints, indigestion, female diseases, fever and ague, nervousness, and diseases of the stomach and blood, and as a nerve tonic, blood purifier and builder, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the statement, "White's Wonder Worker is a purely Herbal Extract," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was a purely herbal extract, whereas, in truth and in fact, it was not, but contained as one of its principal ingredients magnesium sulphate, a mineral salt. Misbranding was alleged for the further reason that the statement, "Contains 20% Alcohol," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 20 per cent of alcohol, whereas, in truth and in fact, it did not contain 20 per cent of alcohol, but did contain a less amount, to wit, approximately 8.2 per cent of alcohol.

On March 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8013. Adulteration of shell eggs. U. S. * * * v. J. W. Kirkland et al. (Kirkland Mercantile Co.). Plea of guilty. Fine, \$100. (F. & D. No. 8708. I. S. No. 12204-p.)

On May 27, 1919, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. W. Kirkland, Lonnie Kirkland, Dan J. Grace, and J. Homer Johnson, a partnership, trading as Kirkland Mercantile Co., at Campbellton, Fla., alleging shipment by said company, on or about June 6, 1918, in violation of the Food and Drugs Act, from the State of Florida into the State of Louisiana, of a quantity of shell eggs which were adulterated.

Examination of the product by the Bureau of Chemistry of this department showed that in 3 cases containing 1,080 eggs there were 164 inedible eggs, or 15.1 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On November 19, 1919, the information was not pressed as to all of the defendants except J. Homer Johnson, who entered a plea of guilty upon arraignment, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

8014. Misbranding of cottonseed meal. U. S. * * * v. East St. Louis Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8784. I. S. No. 20699-m.)

On May 2, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the East St. Louis Cotton Oil Co., a corporation, National Stock Yards, Ill., alleging shipment by said defendant company, on or about January 10, 1917, in violation of the Food and Drugs Act, and transportation from the State of Illinois into the State of Ohio, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Cotton Seed Meal * * * Guaranteed Analysis * * * Crude Protein 38½ to 41% * * * Crude Fibre not over 12%."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Protein -----	35.2
Crude fiber -----	14.0

Misbranding of the article was alleged in the information for the reason that the statement, "Crude Protein 38½ to 41% * * * Crude Fibre not over 12%," borne on the label thereof, was false and misleading, and the article was labeled so as to deceive and mislead the purchaser in that it represented to purchasers thereof that said article contained not less than 38½ per cent of crude protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, said article did contain less than 38½ per cent of crude protein and did contain more than 12 per cent of crude fiber.

On December 12, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8013. Adulteration and misbranding of vinegar. U. S. * * * v. Old Homestead Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8786. I. S. No. 1851-p.)

On January 11, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Old Homestead Mfg. Co., a corporation, Richmond, Va., alleging the shipment by the defendant company, on or about May 2, 1917, in violation of the Food and Drugs Act, as amended, from the State of Virginia into the State of West Virginia, of a quantity of vinegar which was adulterated and misbranded. The article was labeled, "O. H. Natural Color A compound of Molasses and Distilled Vinegar Packed by Old Homestead Mfg. Co. Richmond, Va."

Analyses of samples of the product by the Bureau of Chemistry of this department showed the following results:

Glycerol (gram per 100 cc.) -----	0.009
Solids (gram per 100 cc.) -----	0.365
Acidity, as acetic (grams per 100 cc.) -----	3.63
Ash (gram per 100 cc.) -----	0.079

The article was colored with caramel.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, distilled vinegar colored with caramel and containing no molasses or molasses vinegar, had been substituted in whole for a compound of molasses or molasses vinegar and distilled vinegar, which the article purported to be and that a product inferior to a compound of molasses or molasses vinegar and distilled vinegar, to wit, distilled vinegar which contained no molasses or molasses vinegar and which was colored with a certain dye, to wit, caramel, so as to simulate the appearance of a compound of molasses or molasses vinegar and distilled vinegar, had been mixed and packed with the article in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement, "Natural Color A compound of Molasses and Distilled Vinegar," borne on the labels attached to the bottles containing the article, was false and fraudulent, and the article was labeled so as to deceive and mislead the purchaser in that it was represented that said article was a compound of molasses and distilled vinegar, naturally colored, whereas, in truth and in fact, said article was not a

compound of molasses and distilled vinegar, naturally colored. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 9, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*"

8016. Misbranding of cottonseed meal. U. S. * * * v. East St. Louis Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8972. I. S. No. 19963-m.)

On August 5, 1918, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the East St. Louis Cotton Oil Co., a corporation, alleging shipment by said defendant company, on or about December 4, 1916, in violation of the Food and Drugs Act, from the State of Illinois into the State of Michigan, of a quantity of cottonseed meal which was misbranded. The article was labeled, "Cotton Seed Meal East St. Louis Cotton Oil Co. Our East St. Louis Brand National Stock Yards, Ill. Guaranteed Analysis. East St. Louis Brand 100 Lbs. Gross 99 Lbs. Net Crude Protein 38½ to 41% Crude Fat 6 to 7½% Crude Fibre not over 12% Manufactured by East St. Louis Cotton Oil Co., National Stock Yards, Ill."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Crude fat -----	5.50
Crude fiber -----	15.25
Protein -----	35.00

Misbranding of the article was alleged in the information for the reason that the statement "Crude Protein 38½ to 41%, Crude Fat 6 to 7½%, Crude Fibre not over 12%," borne on the label thereof, was false and misleading, and the article was labeled so as to deceive and mislead the purchaser thereof in that it was represented that said article contained not less than 38½ per cent of crude protein, not less than 6 per cent of crude fat, and not over 12 per cent of crude fiber, whereas, in truth and in fact, the article did contain less than 38½ per cent of crude protein, less than 6 per cent of crude fat, and more than 12 per cent of crude fiber.

On December 12, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8017. Adulteration and misbranding of saccharin. U. S. * * * v. 1 Can. More or Less, of Saccharin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9394. I. S. No. 11355-r. S. No. C-989.)

On or about October 17, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying for the seizure and condemnation of 1 can of an article, labeled in part "Saccharin," remaining unsold in the original unbroken package at Columbus, Ohio, consigned on or about August 16, 1918, by the W. B. Wood Mfg. Co., alleging that the article had been shipped from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that a certain substance, to wit, 58.8 per cent of sugar product, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged in that it was offered for sale under the distinctive name of saccharin, when, in truth and in fact, it was not saccharin, but was another article, to wit, a mixture of saccharin and a sugar product.

On April 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8018. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Central Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9478. I. S. No. 15401-p.)

On May 7, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Central Cotton Oil Co., a corporation, Jackson, Miss., alleging shipment by said defendant company, on or about October 16, 1917, in violation of the Food and Drugs Act, from the State of Mississippi into the State of Michigan, of a quantity of cottonseed meal which was adulterated and misbranded. The article was labeled in part, "'Wawco-Brand' Cotton Seed Meal 100 Lbs. Gross Weight Protein 36 to 39 per ct. Carbohydrates 20 to 30 per ct. Fat 5 to 8 per ct. Crude fiber 10 to 22 per ct. Manufactured for The Wagner White Co., Inc., Jackson, Mich., U. S. A."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed 32.9 per cent of protein.

Adulteration of the article was alleged in the information for the reason that cottonseed hulls had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement "Protein 36 to 39 per ct.," borne on the tags attached to the sacks containing the article, was false and misleading, and the article was labeled so as to deceive and mislead the purchaser in that it was represented that said article contained not less than 36 per cent of protein, whereas, in truth and in fact, the article did contain less than 36 per cent of protein.

On November 22, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8019. Adulteration of oranges. U. S. * * * v. 98 Boxes of Oranges, More or Less. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9886. I. S. No. 7903-r. S. No. C-1092.)

On February 26, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 98 boxes of oranges, remaining unsold in the original unbroken packages at Columbus, Ohio, consigned by the Sutherland Fruit Co., Riverside, Calif., on February 12, 1919, alleging that the article had been transported from the State of California into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The boxes were labeled, "Nature Brand Packed by Sutherland Fruit Co. California."

Adulteration of the article was alleged in the libel in that it consisted in part of a decomposed vegetable substance.

On June 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8020. Adulteration of butter. U. S. * * * v. Frank W. Bowar. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 7015. I. S. Nos. 14546-k, 14552-k, 14553-k.)

On March 6, 1916, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank W. Bowar, Gays Mills, Wis., alleging shipment on or about March 23, 1915, and April 13, 1915, from the State of Wisconsin into the State of Illinois, of quantities of butter which was adulterated.

Analyses of samples of the product by the Bureau of Chemistry of this department showed excessive amounts of water and salt.

Adulteration of the article was alleged in the information for the reason that substances, to wit, water and salt, had been mixed and packed with the article so as to lower or reduce and injuriously affect its quality, and had been substituted in part for butter, which the article purported to be.

On November 14, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8021. Misbranding of Kar-Ru, Gen-Nol, Kar-Nitum, and Kar-Kol. U. S. * * * v. Kar-Ru Chemical Co., a Corporation. Tried to the court and jury. Verdict of guilty. Fine, \$400. Judgment of conviction affirmed in the Circuit Court of Appeals. Motion for rehearing denied. (F. & D. No. 8315. I. S. Nos. 21329-m, 21330-m, 21336-m, 21337-m.)

On January 19, 1918, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kar-Ru Chemical Co., a corporation, Tacoma, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 26, 1917, from the State of Washington into the State of Oregon, of quantities of articles, labeled in part "Kar-Ru" and "Gen-Nol," and on or about October 6, 1916, from the State of Washington into the State of Oregon; of quantities of articles, labeled in part "Kar-Nitum" and "Kar-Kol," all of which were misbranded.

Analysis of a sample of Kar-Ru by the Bureau of Chemistry of this department showed that it consisted substantially of a mixture of sucrose, starch, and charcoal, the proportions and total weights varying somewhat in the several powders. No alkaloids, mercury, arsenic, salicylates, or other potent medicinal substances were present.

Misbranding of this article was alleged in substance in the information for the reason that certain statements appearing upon its label, regarding the therapeutic or curative effects thereof, falsely and fraudulently represented it to be effective as a remedy for rheumatism, for kidney, liver, bladder, stomach, and catarrhal troubles, for mental and physical debility, neuritis, eczema, blood diseases, irregular menstruation, and the most acute and chronic rheumatic afflictions, when, in truth and in fact, it was not.

Analysis of a sample of Gon-Nol showed that it consisted substantially of a mixture of sucrose, starch, and charcoal, the proportions and total weights varying somewhat. No alkaloids, arsenic, mercury, salicylates, or other potent medicinal substances were present.

Misbranding of this article was alleged in substance for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label of the article, falsely and fraudulently represented it to be effective as a remedy for gonorrhœa, to penetrate the nerve centers to the source of the trouble, to cause a reaction of vital forces, and to stir up latent primary disease due to suppression, and to eradicate from the system the life-destroying gonorrhœal germs and their toxins in both the acute and chronic states, when, in truth and in fact, it was not.

Analysis of a sample of Kar-Nitum showed that it consisted substantially of a mixture of sucrose, starch, and charcoal, the proportions and total weights varying somewhat. No alkaloids or other potent medicinal substances, except a trace of arsenic (4 parts per million of As_2O_3), were present.

Misbranding of this article was alleged in substance for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label of the article, falsely and fraudulently represented it to be effective as a remedy for tuberculosis in cattle, for the prevention of tuberculosis in animals, as a relief for tuberculosis in the early stages, to penetrate the nerve centers, to fortify the system against disease germs and their toxins, and to eradicate tuberculosis from the system, when, in truth and in fact, it was not.

Analysis of a sample of Kar-Kol showed that it consisted substantially of a mixture of sucrose, starch, and charcoal. No alkaloids, mercury, or other potent medicinal substances, except a trace of arsenic (11 parts per million of As_2O_3), were present.

Misbranding of this article was alleged in substance for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label of the article, falsely and fraudulently represented it to be effective as a remedy for cholera in hogs, as a preventive of cholera in hogs, as a relief for cholera in hogs, to fortify the system against disease germs and their toxins, to reach the source of and to eradicate the cholera germ, as a preventive of cholera and other diseases, as a remedy for cholera and diarrhœa in man, and as a relief for cholera and diarrhœa in man, when, in truth and in fact, it was not.

On July 23, 1918, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel at the conclusion of the trial on July 26, the following charge was delivered to the jury by the court (Cushman, D. J.):

Gen'llemen of the jury, you have had the issues in this case explained to you for several days. I do not deem that it is necessary to outline at any great length the indictment in the case. You will have it with you in the jury room, and it has also been explained to you. These four kinds of medicine here—each kind is made the subject of a different count in the indictment. There are four counts in the indictment, and the defendant company is charged with having moved in interstate commerce, between this State and Oregon, packages of these different remedies named in the different counts in the indictment. It is charged that the labels on these parcels contained representations regarding the curative and therapeutic effect of the substances contained in the packages which were false and fraudulent.

The defendant has entered a plea of not guilty to the information, which places the burden of establishing the truth of every material allegation of at least one count in the indictment upon the prosecution, the burden requiring that they should establish the truth of every material allegation by evidence

sufficient to convince you beyond a reasonable doubt before you could return a verdict of guilty. If you have reasonable doubt, taking each count by itself, as though it were a separate indictment, if you have a reasonable doubt concerning any material allegation in each count of this indictment, it would be your duty to return a verdict of not guilty. If you have no reasonable doubt concerning any material allegation in any count of the indictment, it would be your duty to return a verdict of guilty as to that count.

You will understand that these labels that were described in the indictment and that appear upon the exhibits contain representations that the contents would cure a number of diseases, and, of course, it would not be necessary to prove that the entire label, that all of the representations on the label regarding the curative and therapeutic effect of the contents were false and fraudulent; it would be necessary before you could return a verdict of guilty upon any count to find beyond a reasonable doubt that at least there was one representation upon the label regarding the therapeutic and curative effect of the contents that was false and fraudulent.

The defendant, as I understand it, both at the time the admissions were made and from the argument of its counsel, admits a number of matters set out in the indictment; admits that these packages were sent in interstate commerce with the labels upon them as charged; but the gist of the defense, as I understand it, is that the defendant denies either that there was any statement regarding the therapeutic or curative effect of any of these medicines on these labels that was false, and denies that, if any such representations were false, they were fraudulently made; and it seems from the argument and the whole trend of the case that your attention will be narrowed to those two propositions.

It is not required of the court to charge you as to what is false. It is about as simple as the English language can make it; but it is charged not only that these representations were false but that they were fraudulent. Now, a fraudulent representation may be defined about as follows—that is, one man represents to another that something is true. To be a fraud, that representation must be false and the party who makes it must know that it is false; he must make it with the intention that the other party will act upon it, relying upon it as being true, and parts with his money; he must have been injured or defrauded of his money to that extent. That is what is meant by charging that the representations regarding these medicines were fraudulent. To apply it to one of the representations, as I understand it, mentioned in the information and contained in one of these labels, the statement that this Gon-Nol would eradicate the germ of gonorrhœa from the human system; that statement, before you could convict upon that alone, would have to have been false—that is, that the medicine would not have had that effect. The defendant company must have made the statement knowing that it was false, or, at any rate, having no ground to believe that it was true, having made it so recklessly and wantonly, with no honest belief that it was true. The representation must have been made in such a way and with the intention that people would purchase the medicine believing it would eradicate from the human system the germ of gonorrhœa, and that, acting upon that belief, if any person purchased it acting upon that belief, that person would be swindled out of his money. That would have to be all established so as to convince you beyond a reasonable doubt before you could find that that particular representation was fraudulent.

There is no presumption arises against the defendant by reason of the fact that it has been indicted or placed on trial before you. Every presumption of law favors the innocence of the defendant, and this presumption of innocence continues throughout the trial until such time as the prosecution has produced evidence sufficient to break down the presumption and overcome it and convince you of the truth of every material allegation in at least one count in the indictment by evidence beyond a reasonable doubt.

Reasonable doubt, as used in the foregoing instruction and as used in the other instructions which I will read to you, means just what the words mean; that is, a doubt that is based upon reason, a doubt for which you can give a reason. It does not mean every possible doubt, because it is almost impossible to establish a particular truth, and especially the truth of the assertions that rest in opinion regarding men's ailments and what cures them to an exact certainty and beyond all possibility of a mistake, but it does mean more than mere probability or mere preponderance of evidence.

Reasonable doubt has sometimes been defined as such a doubt as a man of ordinary prudence, intelligence, and determination would allow to cause him to pause or hesitate in one of the more important transactions connected with

his own affairs. If you have such a doubt on a material matter that was disputed in any count of the information, it would be your duty to give the defendant the benefit of that doubt and acquit him; if you have no such doubt, it would be equally your duty to convict.

I will read you certain instructions which I have been requested to give:

"This case is a prosecution for violation of that part of the Pure Food and Drug Act known as the Sherley Amendment. The information sets out four counts, each alleging a distinct and separate offense by appropriate allegations. You will take this information with you to your jury room and may refer to it for specific knowledge of the material allegations therein. The defendant, however, has not required the Government to produce proof of the formal allegations, but has admitted them to be true, but has pleaded not guilty to each and every of the four counts of the information, and this plea raises the issue as to every material allegation in these counts contained, except as the formal allegations are admitted. By these admissions the issues are narrowed substantially to two questions. The first is: Do the several preparations put upon the market in interstate commerce by the defendant in fact contain curative agents for the several ailments set forth upon the labels of these respective preparations? If you find from the evidence that each and every of these preparations do in fact contain such curative agents, your verdict will be not guilty under each and every count of the information. If you find as a fact that one or more of these preparations does not in fact contain such curative agents, then, as to such preparations, it will be necessary to consider the second question in the case, which is: Did the defendant in fact believe that the preparation in question would be effective in alleviating the ailments for which its label says it is intended to be used?

"It is not proper in such a case as this to try rival well-established schools of medicine, and, if you find that the defendant has only used in its several preparations homeopathic remedies for the alleviation of ailments, then your verdict should be not guilty, and you will not be called upon to consider any other question in the case.

"If you find, however, as a fact that some or all of the preparations put upon the market by the defendant do not, in fact, contain remedial agents used in any school of medicine for the relief of the ailments for which it is put upon the market, then you will be called upon to consider the second question in the case, and that is, did the defendant honestly believe that such remedy would have a curative effect upon the ailments for which it is offered to the public? The law requires that the Government must prove beyond a reasonable doubt, not only that the statements upon the labels are false, but also that the statements are fraudulent. The statements may be false and not fraudulent. To be considered fraudulent within the meaning of the law, requires that the defendant should either know that the remedy which he offers to the public is of no curative value or that he represents to be of curative value recklessly and without caring whether it would cure or whether it did not, for the purpose of defrauding his customers and getting their money for an article which he knew in fact, or ought to have known, was of no value. If you find from the evidence that the defendant honestly believed and had reasonable ground to believe that his remedy was of curative value, then your verdict must be not guilty, no matter if in fact the remedies were worthless from a medical point of view."

The other instructions are in a series of four, and the law is stated in a series of four, the first applying to the first count and the same principle of law and the second one applying also to the second count, so they will have a great deal of sameness, but there being four counts in the indictment, I am going to read the law applying to the principle in each count, in series:

"Gentlemen of the jury: You will recall that the government alleges that the following statement in count I as to Kar-Ru was false and fraudulent: 'Kar-Ru, The Constitutional Remedy for Rheumatism—it is effective in Kidney, Liver, Bladder, Stomach, and Catarrhal Troubles, Mental and Physical Debility, Neuritis, Eczema, Blood Diseases, Irregular Menstruation, and the most Acute and Chronic Rheumatic Afflictions.' It is unnecessary for the Government to prove that all of these statements were false and fraudulent. If you believe beyond a reasonable doubt that any one statement as to the curative or remedial properties of this medicine was false in fact, and that the defendant knew that it was false, you may find the defendant guilty under count I. If the defendant honestly believed it would have the effect stated, it is not guilty.

"The Government alleges that the statement in count II, that Gan-Nol is a remedy for gonorrhœa, and that this remedy eradicates from the system the life-destroying gonorrhœal germs and their toxins, in both the acute and chronic states, was false and fraudulent.

"You are instructed that it is unnecessary for the Government to prove that both of these statements were false and fraudulent. If you believe beyond a reasonable doubt that any one statement as to the curative or remedial effects of this medicine was false in fact, and that the defendant knew that it was false, you may find the defendant guilty under count II. If defendant honestly believed it would have the effect stated, it is not guilty.

"The Government alleges that the statements in count III on the label as to Kar-Nitum, in the following language, 'Kar-Nitum, Tubercular Remedy for Cattle. Kar-Nitum is a scientifically prepared remedy for the prevention of Tuberculosis in animals and the relief of the disease in the early stages. It penetrates the nerve centers and fortifies the system against disease germs and their toxins—Give until the disease germ is eradicated from the system,' were false and fraudulent.

"You are instructed that it is unnecessary for the Government to prove that all of these statements are false and fraudulent. If you believe beyond a reasonable doubt that any one statement as to the curative or remedial effects of this medicine was false in fact, and that the defendant knew that it was false, you may find the defendant guilty under count III. If defendant honestly believed it would have the effect stated, it is not guilty.

"The Government alleges that the statements in count IV on the label as to Kar-Kol, in the following language, 'Kar-Kol, A Remedy for Hog Cholera, Kar-Kol is a scientifically prepared deep-acting remedy for the prevention of cholera in hogs, and the relief of the disease, in the early stages. It penetrates the nerve centers, and causes a reaction of the vital force, produces a proper digestion and assimilation of natural elements and food substances, fortifies the system against disease germs and their toxins. By its broad and deep action, it reaches the source of trouble and eradicates the cholera germ. It acts as a preventive of cholera and other diseases, * * * Good for Humans—For cholera, or diarrhea in humans, take one-half teaspoonful once a day, dry in mouth, and repeat daily until relieved,' were false and fraudulent.

"You are instructed that it is unnecessary for the Government to prove that all these statements were false and fraudulent. If you believe beyond a reasonable doubt that any one statement as to the curative or remedial effects of this medicine was false in fact, and that the defendant knew that it was false, you may find the defendant guilty under count IV. If defendant honestly believed it would have the effect stated, it is not guilty."

Here is another series of four:

"As to count I, if you believe beyond a reasonable doubt that Kar-Ru is not the constitutional remedy for rheumatism, and is not effective in kidney, liver, bladder, stomach, and catarrhal troubles, mental and physical debility, neuritis, eczema, blood diseases, irregular menstruation, and the most acute and chronic rheumatic afflictions, and that the defendant must have known this, you may find the defendant guilty under count I. If defendant honestly believed that it would have the effect stated, it is not guilty.

"As to count II, if you believe beyond a reasonable doubt that Gon-Nol is not a remedy for gonorrhœa, and does not eradicate from the system the life-destroying gonorrhœal germs and their toxins in both their acute and chronic states, and that the defendant must have known this, you may find the defendant guilty under count II. If defendant honestly believed it would have the effect stated, it is not guilty.

"As to count III, if you believe beyond a reasonable doubt that Kar-Nitum is not a scientifically prepared remedy for the prevention of tuberculosis in animals and the relief of the disease in the early stages, and does not penetrate the nerve centers, and fortify the system against disease germs and their toxins, and does not eradicate disease germs from the system, and that the defendant must have known this, you may find the defendant guilty under count III. If defendant honestly believed it would have the effect and was as stated, it is not guilty.

"As to count IV, you are instructed that if you find that Kar-Kol is not a remedy for hog cholera, and if you further find that Kar-Kol is not a scientifically prepared, deep-acting remedy for the prevention of cholera in hogs, and the relief of the disease in the early stages, and if you find that it does not

penetrate the nerve centers and cause a reaction of the vital force, and does not produce a proper digestion and assimilation of natural elements and food substances, and does not fortify the system against disease germs and their toxins, and by its broad and deep action it does not reach the source of the trouble, and does not eradicate cholera germs, and does not act as a preventive of cholera; and if you further find that Kar-Kol is not good for humans for cholera and diarrhoea, and that the defendant must have known this, you may find the defendant guilty under count IV. If defendant honestly believed it would have the effect and was as stated, it is not guilty.

"You are instructed that if you find beyond a reasonable doubt that Kar-Ru is worthless for any one of the things for which it is labeled, and that the defendant knew this, you may find the defendant guilty under count I. If it honestly believed it was in all things as stated, it is not guilty.

"You are instructed that if you find beyond a reasonable doubt that Gon-Nol is worthless for any one of the things for which it is labeled, and that the defendant knew this, you may find the defendant guilty under count II. If it honestly believed it was in all things as stated, it is not guilty.

"You are instructed that if you find beyond a reasonable doubt that Kar-Nitum is worthless for any one of the things for which it is labeled, and that the defendant knew this, you may find the defendant guilty under count III. If it honestly believed it was in all things as stated, it is not guilty.

"You are instructed that if you find beyond a reasonable doubt, that Kar-Kol is worthless for any one of the things for which it is labeled, and that the defendant knew this, you may find the defendant guilty under count IV. If it honestly believed it was in all things as stated, it is not guilty.

"If you find beyond a reasonable doubt that the statement that Kar-Ru is the constitutional remedy for rheumatism, and that it is effective in kidney, liver, bladder, stomach, and catarrhal troubles, mental and physical debility, neuritis, eczema, blood diseases, irregular menstruation, and the most acute and chronic rheumatic affections was absolutely false, and was made by the defendant with a reckless and wanton disregard as to whether it was true or false, you may find the defendant guilty under count I. If it honestly believed it was in all things as stated, it is not guilty.

"If you believe beyond a reasonable doubt that the statement that Gon-Nol is a remedy for gonorrhoea, and that it eradicates from the system the life-destroying gonorrhoeal germs and their toxins in both the acute and chronic states, was absolutely false, and was made by the defendant with a reckless and wanton disregard as to whether it was false or true, you may find the defendant guilty under count I. If it honestly believed it was in all things as stated, it is not guilty.

"If you believe beyond reasonable doubt that the statement that Kar-Nitum is a tubercular remedy for cattle and that Kar-Nitum is a scientifically prepared remedy for the prevention of tuberculosis in animals, and the relief of the disease in the early stages, and that it penetrates the nerve centers, and fortifies the system against disease germs and their toxins, was false, and was made by the defendant with a reckless and wanton disregard as to whether it was true or false, you may find the defendant guilty under count III. If it honestly believed it was in all things as stated, it is not guilty.

"If you believe beyond a reasonable doubt that the statement that Kar-Kol is a remedy for hog cholera, and that by its broad and deep action it reaches the source of trouble and eradicates the cholera germs, and acts as a preventive of cholera and other diseases, and that it is good for humans for cholera and diarrhoea, was false, and was made by the defendant with a reckless and wanton disregard as to whether it was true or false, you may find the defendant guilty under count IV. If it honestly believed it was in all things as stated, it is not guilty."

You will understand that the instructions that I have given you are to be taken as a whole. These written instructions omitted some of the requirements that I stated to you in my oral instructions which were necessary to constitute fraud. You will understand that the written instructions are amended by the oral instructions, and that these requirements are necessary in addition to what I read to you.

You are in this case, as in every other case where questions of fact are submitted to you for determination, the sole and exclusive judges of every question of fact in the case, the weight of the evidence, and the credibility of the witnesses. In weighing the evidence and determining the amount of credit

that should be given the different witnesses who have come before you and testified, it is your duty to take into account their appearance, the appearance of each witness, and the manner, demeanor, and conduct of the witness in giving his or her testimony, whether the witness earnestly appeared to be telling you the exact truth, carefully avoiding saying anything that apparently the witness did not believe, and avoiding exaggeration, or whether the witness may not have appeared to you as reluctant, evasive, hesitating, trying to keep from telling you what the witness claimed to know, whether a witness may not have struck you as being too willing, too free, running along and injecting information that the witness claimed to have into the case about which no one had asked; also you will take into consideration the testimony of each witness by itself, whether it appears to be likely, probable, reasonable under all of the circumstances, whether it is corroborated by other evidence where you would expect it to be corroborated, if it were true, or whether it is contradicted by other evidence in the case. You will also take into account the situation in which each witness was placed in relation to the things about which he or she testified, as one witness might be much better situated to know the exact facts than another who was equally anxious to tell you the truth. You will also take into account the interest that any witness may be shown to have in the case, either as shown by the manner in which the witness gave his or her testimony or by the relation of the witness to the case. Mr. Hebb, having taken the stand in behalf of the defendant company, of which he is the sole stockholder, you should apply to his testimony the same tests as you do to the testimony of other witnesses, including his natural interest in the case.

The jury thereupon retired, and after due deliberation returned into court with a verdict of guilty on all counts. Thereafter the defendant company, by counsel, filed a motion in arrest of judgment, which was denied by the court on October 29, 1918. On December 30, 1918, the trial court entered judgment that the defendant corporation should pay a fine of \$100 on each of the four counts of the information, making an aggregate fine of \$400.

On June 21, 1919, the defendant company filed its petition for a writ of error and its assignments of error, and on July 31, 1919, the transcript of the record was filed in the Circuit Court of Appeals for the Ninth Circuit, and on September 16, 1919, argument was had upon the writ of error before the Circuit Court of Appeals. On May 3, 1920, the matter having come on for final disposition, the judgment of conviction by the lower court was affirmed, as will more fully appear from the following decision by the Circuit Court of Appeals. (Gilbert, Morrow, and Hunt, *Circuit Judges*, and Morrow, *Circuit Judge*, delivering the opinion of the court):

The Food and Drug Act of June 30, 1906 (34 Stat., 768), provided in section 2 as follows:

"That the introduction into any State * * * from any other State * * * of any article of food or drugs which is * * * misbranded" within the meaning of the act, is prohibited; and that "any person who shall ship or deliver for shipment from any State * * * to any other State * * * any such article * * * so misbranded" within the meaning of the act, "shall be guilty of a misdemeanor."

Section 8 of the act provided:

That the term "misbranded" as used herein, shall apply to all drugs, or articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein, that shall be false or misleading in any particular.

In *U. S. v. Johnson*, 221 U. S. 488, this act came before the Supreme Court of the United States upon the question as to the meaning of the word "misbranded" as defined in the act with respect to a false statement on the label. The court held "that the phrase is aimed not at all possible false statements, but only at such as determine the identity of the article possibly including its strength, quality and purity," and not at statements as to curative effect. In

that case it was charged that the label stated or implied that its contents were effective in curing cancer, the defendant well knowing that the representations were false, the court held that even if the statement was misleading it was (not ?) covered by the statute. This decision was rendered in May, 1911.

President Taft almost immediately transmitted to Congress a special message calling attention to the necessity of passing at an early date an amendment to the Food and Drugs Act supplementing the existing law to "prevent the shipment in interstate and foreign commerce of worthless nostrums labeled with misstatements of fact as to their physiological action." In the course of the message the President said:

In my opinion, the sale of dangerously adulterated drugs, or the sale of drugs under knowingly false claims as to their effect in disease, constitutes such an evil and warrants me in calling the matter to the attention of the Congress. Fraudulent misrepresentations of the curative value of nostrums not only operate to defraud purchasers, but are a distinct menace to the public health. There are none so credulous as sufferers from disease. The need is urgent for legislation which will prevent the raising of false hopes of speedy cures of serious ailments by misstatements of fact as to worthless mixtures on which the sick will rely while their diseases progress unchecked. (62d Cong., 1st sess. Vol. 47, Cong. Rec., Pt. 3, p. 2379.)

In response to this message an amendment to the act was introduced in the house which was explained by Mr. Sherley, its author. In the course of his remarks he referred to the President's message and the decision of the Supreme Court in the Johnson case, in which he stated that the court had held:

That the sections of the pure food law relating to misbranding did not embrace statements as to the curative or therapeutic properties of drugs. There was a very strong dissent handed down by Justice Hughes and concurred in by Justice Day and Justice Harlan, holding that a proper construction of the act would embrace such cases. The majority of the Court seem to have gone on the idea that it was not the intention of Congress to enter into the domain of matters in issue between rival schools of medicine, but, as is very clearly set out by the minority in their dissenting opinion, there were great many cases that did not belong in this twilight zone, but represented plain cases of fraud and deceit. In the opinion of the minority of the court, it was the intention of the law to reach such cases, and believing it certainly ought to be the intention of the law to reach them, I introduced the bill now before the House. Just after its introduction, the President called attention to the importance of the decision and the need of a remedy by a special message to Congress. This act has been drawn with some care, and as perfected by the amendments offered will certainly reach these cases of fraud without undertaking to have the Government enter into the disputed domain that lies outside of proper legislation. (62d Cong., 2d sess. Vol. 48, Cong. Rec., Pt. 11, p. 11,322.)

The amendment was passed. It provided among other things the addition of a paragraph to section 8 of the act of June 30, 1906, defining misbranding, as follows:

Third. If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein, which is false and fraudulent.

The information in this case contains four counts. The first count charges the defendant with the unlawful shipment and delivery for shipment via United States mail from the city of Tacoma, State of Washington, to the city of Portland, State of Oregon, consigned to Clarke Woodward Drug Co., a certain package containing three boxes, each box containing an article designed and intended to be used in the cure, prevention, and mitigation of diseases of men. The character and brand of the boxes is set forth, and it is charged:

That when shipped and delivered for shipment as aforesaid said article of drugs was then and there misbranded within the meaning of the said act of Congress, as amended, in that the following statements regarding the therapeutic or curative effect thereof appearing on the label aforesaid, to wit, "'Kar-Ru,' the constitutional remedy for Rheumatism * * * It is

effective in Kidney, Liver, Bladder, Stomach, and Catarrhal Troubles, Mental and Physical Debility, Neuritis, Eczema, Blood Diseases, Irregular menstruation, and the most Acute and Chronic Rheumatic Afflictions," was false and fraudulent in this, that the same was applied to said article unlawfully and in reckless and wanton disregard of its truth or falsity so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of the purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medical agents effective among other things as a remedy for rheumatism * * * or effective as a remedy for kidney, liver, bladder, stomach, or catarrhal troubles, or effective as a remedy for mental or physical debility, neuritis, eczema, blood diseases, irregular menstruation, or the most acute and chronic rheumatic afflictions, when in truth and in fact said article was not in whole or in part composed of and did not contain any ingredients or medical agents effective, among other things, as a remedy for rheumatism, or effective as a remedy for kidney, liver, bladder, stomach, or catarrhal troubles or effective as a remedy for mental or physical debility, neuritis, eczema, blood diseases, irregular menstruation, or the most acute or chronic rheumatic afflictions.

The other three counts were identical with the first count, except as to the name of the article shipped, namely, Gon-Nol for diseases of men, Kar-Nitum for diseases of cattle, and Kar-Kol for diseases of man and hogs. Upon the trial of the case before a jury, the corporate capacity, identity, and domicile of the defendant and the shipment of the articles described in the information were admitted. And evidence was introduced in support of the information and for the defendant. The jury found the defendant guilty upon all four counts. The defendant contends that there was no substantial evidence to sustain the charges in the information that the packages in question were misbranded within the meaning of the act of Congress as amended. The claim of the defendant is that this is a controversy relating to the efficacy of homeopathic remedies, and that the theory of the prosecution arises upon the testimony of its medical witnesses that homeopathic remedies were worthless. Assuming that the exceptions reserved by the defendant at the trial were sufficient to raise whatever questions there may be in this contention, the question is, What were the questions of fact submitted to the jury?

The prosecution introduced the testimony of E. O. Eaton, a chemist in the employ of the Government at the San Francisco laboratory, who testified that he had analyzed samples of Kar-Ru which showed sugar 83.4 per cent; starch, 12.6 per cent; charcoal, 1.63 per cent. He did not find any other active medical ingredient, except one part to a million of arsenic in some of the samples. There was a certain amount of water and a small amount of ash or inorganic salts. When samples were burned, ash was left. Some samples showed ash 0.15 of 1 per cent, and all of them mixed together one part arsenic to a million. Alkaloids, chloroform, and ammonium salts were absent, as well as heavy metals, except a trace of iron.

He analyzed samples of Gon-Nol in which he found sugar, 61.75 per cent; starch, 30.1 per cent; ash, 0.65 per cent, consisting of calcium, sodium phosphate, potassium, iron salts, ammonium salts, arsenic one part in a million, charcoal 12 per cent, heavy metals, trace of iron.

He analyzed samples of Kar-Nitum and found sugar, 76.7 per cent; starch, 15.9 per cent; charcoal, 2.85 per cent; ash, .55 per cent; arsenic, 5 parts to a million.

He analyzed Kar-Kol and found sugar, 81.9 per cent; starch, 13.8 per cent; charcoal, 2.15 per cent; ash, 3 per cent; arsenic, 6 parts to a million.

On cross-examination this witness testified that he first made a qualitative analysis to find the different ingredients and then a quantitative analysis to find the amount of each. He was asked whether in his tests he could have caught small quantities of certain elements such as ammonium salts, ferric chlorid, and iodine. He thought he could have detected any small amount, but could not say whether he would have detected a quarter of a grain of ammonium salts. He knew he could have detected a half grain. With respect to ferric chlorid and iodine he could have caught one-tenth of a grain, but could not say if he would have detected minute parts or indeterminate quantities. He made a test for nitric acid. He would have detected probably a drop in a gallon. He found one part in a million of arsenic.

The prosecution called Calvin S. White, a major in the Medical Reserve Corps of the United States Army, educated in the University of Pennsylvania

and Oregon. Analysis of the elements in Kar-Ru was submitted to the witness, and he testified that it would be worthless in the cure of any disease. "It is all inert, and there is nothing there which could possibly be a curative agent in any disease. It is not possible to get any one medicine which will cure all of the different diseases enumerated." The analysis of the elements of Gon-Nol was submitted to the witness, and he testified that "it would have no effect at all. It would do neither harm nor good." On cross-examination the witness testified that he had informed himself of the practice of the homeopathic school of medicine. "There is no school which teaches the use of those things for rheumatism" (referring to *pulsatilla* and *lycopodium*). The homeopaths did not recognize arsenic as a remedy for chronic rheumatism.

J. B. McNerthney, a witness for the prosecution, testified that he had been practicing medicine for 16 or 17 years. That he had a medical education in the University of Minnesota and New York and a postgraduate at Berlin and Vienna. The synoptical analysis of the formula of Kar-Ru was submitted to him. He testified that "it would have no medical value. * * * Absolutely no school of medicine would recognize it as a remedy."

The synoptical analysis of Gon-Nol was submitted to him. He said it appeared to contain no medical qualities and was absolutely worthless as a cure for gonorrhœa. In his opinion, it would not be recognized in any school of medicine.

From an examination of the synoptical analysis of the formula of Kar-Kol, he testified that it appeared to contain no drugs of medical value and was absolutely worthless in the treatment of cholera or diarrhœa in human beings. It would not be considered a remedy in any recognized school of medicine. That the medicine contains six parts in a million of arsenic would not give it any medical value. The addition of *lycopodium*, *pulsatilla*, sulphur, nitric acid, and thuja in such small quantities as not to be discovered by the chemist would be worthless in the cure of any disease.

Chester H. Woolsey, for the prosecution, testified that he had studied medicine at the University of California, took a postgraduate course at Cornell, did some work at Columbia, and was then an instructor at Stanford University. "From what the analysis of Gon-Nol shows, it would not have the least effect and would be absolutely worthless in any form of gonorrhœa. It would do more harm than good, because the patient would be wasting time with the useless remedy, while the disease would be getting a firmer hold on him." "The formula which the analysis disclosed would not be recognized by any school of medicine that I know of as a remedy for gonorrhœa." "From the examination of the synoptical formula of the analysis of Kar-Ru, I would say that Kar-Ru is absolutely worthless as a remedy for rheumatism, kidney, liver, stomach, and catarrhal troubles, mental and physical debility, neuritis, eczema, blood diseases, irregular menstruation, and the most acute and chronic rheumatic afflictions."

H. K. Faber, a graduate of medicine from the University of Michigan and associate professor of medicine at Stanford University, at that time in the base hospital at Camp Lewis; P. B. Swearingen, a graduate of the St. Louis University, had taken a special postgraduate course in New York and Chicago and had been a practicing physician for 26 years; and Royal M. Gove, who had been practicing medicine in Tacoma for 28 years, were called as witnesses for the prosecution and all testified to substantially the same effect as the preceding witnesses.

H. J. Shore, holding a veterinary degree and employed as a bacteriologist by the United States Department of Agriculture; N. A. Madsen, a graduate of Iowa State College and Veterinarian College of Copenhagen, employed by the United States Department of Agriculture as meat inspector; and Samuel B. Foster, a graduate of the Washington State College for Veterinary Medicine and employed by the United States Government in the tuberculosis eradication work in Washington and Oregon, testified for the prosecution that from the analysis of Kar-Nitum the preparation would not be a remedy for tuberculosis or relief of the disease at any stage.

At this point the prosecution rested its case. The defendant did not move for an instructed verdict in its favor, but proceeded to introduce evidence for its defense.

P. W. Hebb was called and testified that he was the president, manager, and practically the only stockholder of the defendant corporation; that he was not a medical man by profession, but for seven or eight years had been reading and studying medicine, particularly homeopathic medicine; that they put upon

the market some medicines for common ailments, both for man and beasts; that he wrote the labels for Kar-Ru, Gon-Nol, Kar-Nitum, and Kar-Kol, and in so doing he used common and accepted terms rather than medical terms; that they all contained medical curative agents; all are made on a base of triturated sugar, carbo-vegetalis, commonly known as charcoal. This base merely carries the medical agents and is similar in purpose to the half glass of water in which medicine is often administered. The witness was asked on cross-examination how much tuberculinum is there in Kar-Nitum? His counsel objected to this question on the ground that the witness could not be compelled to disclose to the public his trade secrets. It was sufficient, he contended, to meet the charge in the information, to show that the remedies contained curative agents, even one curative agent, in quantity sufficient to act medicinally as recognized and practiced by any school of medical practitioners. The objection was overruled, and the witness answered: "In the sixth potency." How much that was he could not say; it was less than one in a thousand; the witness was asked as to the potencies of arsenic and pulsatilla in Kar-Ru. He replied that he used the sixth potency of arsenic; from the seventh up of pulsatilla; thuja, the eighth; nitric acid, the ninth; lycopodium, tenth; sulphur, eleventh. In Gon-Nol he used the following potencies: Medorrhinum, sixth; sulphur, seventh; arsenicum, eighth; thuja, ninth; lycopodium, tenth; nitric acid, eleventh.

A. H. Grimmer for the defense testified that he resided in Chicago, was in general practice as a physician; had been adjunct professor in the Hahnemann Homeopathic Medical College of Chicago for 10 years, and for 12 years had conducted classes in postgraduate work, members of which came from all over the world—many from Europe, particularly from the London Homeopathic Hospital. That homeopathy is an organized system of medicine which maintains colleges and hospitals, has its county and State medical associations, is recognized in every State in the Union, and in Michigan, Iowa, and California has homeopathic departments in the State universities, maintained at State expense. Potencies are in general use in the homeopathic practice. The degree varies with the individual practitioner. That homeopathy, as other schools of medicine, seeks to diagnose a case before prescribing. He testified as to the potencies of the remedies used for the diseases mentioned on the labels attached to the packages in controversy. That the remedies would contain curative agents for such ailments. The witness was the father-in-law of Mr. Hebb, the president, manager, and practically the only stockholder of the defendant corporation.

Upon this evidence it was clearly a question of fact for the jury to determine whether the preparations offered to the public by the defendant and described in the information were in fact misbranded in the statements regarding their therapeutic or curative effect and whether such statements were false and fraudulent. The defendant having defended on the ground that the preparations were remedies in accordance with the theory and practice of homeopathy, that question also became a question of fact for the jury, to be determined under proper instruction from the court. Upon this issue the court instructed the jury as follows:

Do the several preparations put upon the market in interstate commerce by the defendant in fact contain curative agents for the several ailments set forth upon the labels of these respective preparations? If you find from the evidence that each and every of these preparations do in fact contain such curative agents, your verdict will be not guilty under each and every count of the information. If you find as a fact that one or more of these preparations does not in fact contain such curative agents, then, as to such preparations, it will be necessary to consider the second question in the case which is: Did the defendant in fact believe that the preparation in question would be effective in alleviating the ailments for which its label says it is intended to be used?

It is not proper in such a case as this to try rival well-established schools of medicine, and if you find that the defendant has only used in its several preparations homeopathic remedies for the alleviation of ailments then your verdict should be not guilty, and you will not be called upon to consider any other question in the case.

If you find, however, as a fact that some or all of the preparations put upon the market by the defendant do not in fact contain remedial agents used in any school of medicine for the relief of the ailments for which it

is put upon the market, then you will be called upon to consider the second question in the case, and that is: Did the defendant honestly believe that such remedy would have a curative effect upon the ailments for which it is offered to the public? The law requires that the Government must prove beyond a reasonable doubt, not only that the statements upon the labels are false, but also that the statements are fraudulent. The statements may be false and not fraudulent. To be considered fraudulent within the meaning of the law requires that the defendant should either know that the remedy which he offers to the public is of no curative value or that he represents to be of curative value recklessly and without caring whether it would cure or whether it did not, for the purpose of defrauding his customers and getting their money for an article which he knew in fact, or ought to have known, was of no value. If you find from the evidence that the defendant honestly believed and had reasonable ground to believe that his remedy was of curative value, then your verdict must be not guilty, no matter if in fact the remedies were worthless from a medical point of view.

These instructions were in accordance with the law as declared by the Supreme Court in Seven Cases of Eckman's Alteratives *v.* United States (239 U. S., 510-517-518), where the court excluded the field where there might be differences of opinion between schools and practitioners and explained the words "false" and "fraudulent" to conform to such exclusions.

The court said:

It can not be said, for example, that one who should put inert matter or a worthless composition in the channels of trade, labeled or described in an accompanying circular as a cure for disease when he knows it is not, is beyond the reach of the lawmaking power. Congress recognized that there was a wide field in which assertions as to curative effect are in no sense honest expressions of opinion but constitute absolute falsehoods and in the nature of the case can be deemed to have been made only with fraudulent purpose. The amendment of 1912 applies to this field and we have no doubt of its validity.

It is objected that the court allowed Dr. White, a witness for the prosecution, to testify that the preparations which had been analyzed by the chemist, Eaton, and shown to the witness were absolutely worthless and had no food, curative, or medical value. The testimony was clearly admissible. In the case just cited, the court held that the law does reach one who puts inert matter or a worthless composition in the channels of trade labeled as a cure for disease when he knows it is not.

The remaining errors assigned relate to the action of the board in overruling objections to questions put to witnesses as to the curative value of arsenic in a portion of one part to a thousand; as to whether there was any known medicine that would cure kidney, bladder, liver, stomach, catarrhal troubles, mental and physical debility, neuritis, eczema, blood diseases, irregular menstruation, and the most acute and chronic rheumatic afflictions, gonorrhoea, cholera, and diarrhoea in human beings. The objection was overruled and the witness answered, "Why, no," and then said, "I might modify that by"—The court said, "You have answered the question. Is there anything further?" The objection was the use of the word "cure." In support of the objection it was said, "There is no representation by the defendant that the medicines will 'cure' any of these diseases or that he has any one medicine which is a remedial agent for all of them." On the cross-examination of the witness, which immediately followed his answer, he said:

Medicines might be combined so that the combinations would have a beneficial effect upon persons suffering from one or more of the diseases enumerated. For instance, if a man were suffering from kidney disease or Bright's disease the physician would have to make a diagnosis of Bright's disease and then select the drug, and then he would have to have some dosage. Then, if a man had stone in the bladder, or some bladder trouble, you would have to make a diagnosis first and select a drug and have a proper dosage, a dosage strong enough to dissolve or neutralize whatever acid there was in the kidney or bladder; but first you would have to diagnose it. Then you would use a medicine just the same as you would use a knife, to remove it, and it must be in a sufficiently powerful dose to work. That is my method of practicing medicine, and there are no other methods which are any good, that I know of.

In view of the fact that no exception was taken to the answer of the witness, his proposed modification, and modification on cross-examination, we do not see that the defendant was prejudiced by the question.

With respect to the remaining objections as to whether the remedies contain any alkaloids, mercury, salicylates, arsenic, or other medicines of a similar nature; as to the effect of giving Kar-Nitum to certain cattle; as to the food value of the sugar, starch, etc., found in Kar-Ru and Kar-Kol; as to the classification of various diseases; the cost of homeopathic remedies; the exclusion of a letter written by some one in New Jersey addressed to Mr. Hebb concerning the administration of Kar-Kol to hogs; and as to the potency of certain of the remedies in some of the articles mentioned, we find no substantial error on the part of the court in its ruling upon these questions. The testimony was admitted under well-known rules of evidence or was without prejudice to the defendant.

The judgment of the court below is affirmed.

Thereafter the defendant company, by counsel, filed its petition for a rehearing before said Circuit Court of Appeals, and on July 6, 1920, said petition was denied by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

S922. Adulteration and misbranding of Green Mountain Syrup. U. S. * * * v. Scudder Syrup Co., a Corporation. Plea of guilty. Discharged upon payment of costs. (F. & D. No. 9111. I. S. No. 8734-p.)

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Scudder Syrup Co., a corporation, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 12, 1917, from the State of Illinois into the State of Alabama, of a quantity of an article, labeled in part "Green Mountain Syrup Scudder Syrup Co. Chicago," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed principally of corn sirup and cane sirup.

Adulteration of the article was alleged in substance in the information for the reason that a mixture composed of corn sirup and cane sirup had been substituted in whole or in part for Green Mountain sirup, to wit, maple sirup, which the article purported to be.

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Green Mountain Syrup," borne on the containers containing the cans which contained the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was Green Mountain sirup, to wit, maple sirup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was Green Mountain sirup, to wit, maple sirup, whereas, in truth and in fact, it was not Green Mountain sirup, to wit, maple sirup, but was a mixture composed of corn sirup and cane sirup. Misbranding was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court ordered its discharge on the payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

8023. Adulteration and misbranding of Old Process Laxo Cake Meal. U. S. * * * v. Chicago Heights Oil Mfg. Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9115. I. S. Nos. 20126-m, 20130-m.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chicago Heights Oil Mfg. Co., a corporation, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 27, 1916, and January 5, 1917, from the State of Illinois into the State of Ohio, of quantities of an article, labeled in part "Old Process Laxo Cake Meal Chicago Heights Oil Mfg. Co., 140 West Van Buren Street, Chicago, Ill.," which was adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained weed seeds or screenings.

Adulteration of the article in each shipment was alleged in substance in the information for the reason that a mixture composed in part of ground screenings oil cake, or screenings oil feed, had been substituted in whole or in part for "Cake Meal (Unscreened Flaxseed Oil Feed) * * * Ingredients: Unscreened Flaxseed," which the article purported to be.

Misbranding of the article in each shipment was alleged in substance for the reason that the statement, to wit, "Cake Meal (Unscreened Flaxseed Oil Feed) * * * Ingredients: Unscreened Flaxseed," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article was cake meal (unscreened flaxseed oil feed), a product composed of unscreened flaxseed, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was cake meal (unscreened flaxseed oil feed), a product composed of unscreened flaxseed, whereas, in truth and in fact, it was a mixture composed of, to wit, ground linseed oil cake and ground screenings oil cake, or linseed meal and screenings oil feed.

On June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8024. Adulteration and misbranding of Moca Molasses Feed and misbranding of Sweet Meadow Dairy Molasses Feed. U. S. * * * v. John T. Gibbons. Plea of guilty. Fine, \$30. (F. & D. No. 9344. I. S. Nos. 15016-p, 15017-p.)

On February 6, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John T. Gibbons, New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 10, 1918, and January 7, 1918, from the State of Louisiana into the State of Alabama, of quantities of articles, labeled in part, respectively, "Moca Molasses Feed" and "Sweet Meadow Dairy Molasses Feed," the former of which was adulterated and misbranded and the latter misbranded.

Analysis of a sample of the Moca Molasses feed by the Bureau of Chemistry of this department showed that it contained 17.02 per cent of crude fiber. Microscopical examination of the product showed the presence of oats, some crushed and some not crushed, oat hulls, a small amount of crushed barley which might be from brewers' grains, a little alfalfa, and a little peanut hulls.

Adulteration of this article was alleged in the information for the reason that peanut hulls and alfalfa had been mixed and packed therewith so as to lower

and reduce and injuriously affect its quality and strength, and had been substituted in part for crushed oats, brewers' grains, oat feed, salt, and molasses, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Guaranteed Analysis * * * Fibre 12.00% * * * Ingredients—Crushed Oats, Brewers Grain, Oat Feed, Salt, Molasses," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not more than 12 per cent of fiber and consisted of crushed oats, brewers' grains, oat feed, salt, and molasses, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 12 per cent of fiber and consisted of crushed oats, brewers' grains, oat feed, salt, and molasses, whereas it contained a greater amount of fiber, to wit, 17.02 per cent, and consisted in part of peanut hulls and alfalfa.

Analysis of a sample of the Sweet Meadow Dairy Molasses feed showed the presence 21.97 per cent of crude fiber.

Misbranding of this article was alleged for the reason that the statement "Guaranteed Analysis Fibre 15.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not more than 15 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 15 per cent of fiber, whereas it contained a greater amount of fiber, to wit, 21.97 per cent.

On June 15, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

8025. Misbranding of Mumford's Navy Blood and Rheumatic Remedy. U. S. * * * v. Edward A. Hecker and John W. McCarthy (Mumford's Navy Medicine Co.). Plea of guilty. Fine, \$5 and costs. (F. & D. No. 9499. I. S. No. 8137-p.)

On April 25, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward A. Hecker and John W. McCarthy, copartners, trading as Mumford's Navy Medicine Co., Kansas City, Mo., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about November 21, 1917, from the State of Missouri into the State of Oklahoma, of a quantity of a product, labeled "Mumford's Navy Blood and Rheumatic Remedy, Mumford's Navy Medicine Co., Kansas City, Mo.," which was misbranded.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing small amounts of potassium iodid and plant extractives in alcohol and water.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, designs, and devices, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for the scrofulous, syphilitic, and rheumatic, as a blood purifier, and as a remedy, treatment, and cure for rheumatism in all forms, scrofulous ulcers, white swelling, abscesses, rickets, eczema, catarrh, falling of the hair, itching humors, ring worm, tetter, scald head, boils, carbuncles, pimples, erysipelas, tumors, enlarged glands, various skin diseases, scrofula, bad blood, kidney troubles, syphilis, and syphi-

littic troubles, whereas, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing in the circular accompanying the article, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for blood poison, kidney trouble, and every kind of rheumatism, to eliminate from the kidneys and bladder poisonous and irritating matter as uric acid and gravel, and as a remedy, treatment, and cure for smarting and burning in the urine, and irritation in the bladder, when, in truth and in fact, it was not.

On December 23, 1919, a plea of guilty to the information was entered by the defendants, and the court imposed a fine of \$5 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8026. Misbranding of Sa-Van-Eg and Sa-Van-. U. S. * * * v. National Clock & Mfg. Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9855. I. S. Nos. 4878-p, 4879-p.)

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the National Clock & Mfg. Co., a corporation, Chicago, Ill., alleging shipment by said company, under the name of the Nacma Co., in violation of the Food and Drugs Act, on or about May 4, 1918, and May 22, 1918, from the State of Illinois into the State of Georgia, of quantities of articles, labeled, respectively, "Sa-Van-Eg" and "Sa-Van-," which were misbranded.

Analysis of samples by the Bureau of Chemistry of this department showed that each article consisted essentially of a cereal product, baking powder, and a small amount of skimmed-milk powder. The Sa-Van-Eg was also artificially colored.

Misbranding of Sa-Van-Eg was alleged in substance in the information for the reason that the statements, to wit, "Sa-Van-Eg," "May be used in place of 3 dozen eggs in cooking and baking only," "One level teaspoonful of Sa-Van-Eg may be used for each egg called for in recipe," "A Delicious and Wholesome Cereal and Milk Product to be Used in Place of Eggs," and "Saves about $\frac{1}{3}$ the shortening," borne on the packages containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article was an egg substitute, that is to say, that by the use of said article eggs could be saved, that said article could be used in place of eggs, that the contents of each of said packages could be used in place of 3 dozen eggs, that 1 level teaspoonful of the article could be used for each egg called for in recipe, and that by using the article about $\frac{1}{3}$ of the usual shortening could be saved; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was an egg substitute, that is to say, that by the use of said article eggs could be saved, that said article would take the place of eggs, that the contents of each of said packages could be used in place of 3 dozen eggs, that 1 level teaspoonful of said article could be used for each egg called for in recipe, and that by using the article about $\frac{1}{3}$ of the usual shortening could be saved, whereas, in truth and in fact, said article was not an egg substitute, that is to say, by the use of said article eggs could not be saved, said article would not take the place of eggs, the contents of each of said packages could not be used in place of 3 dozen eggs, 1 level teaspoonful of said article could not be used for each egg in recipe, and by using the article $\frac{1}{3}$ of the usual shortening could not be saved, in that it was a mixture composed essentially

of a cereal base, dried skimmed milk, and baking powder, artificially colored, which had no value as an egg substitute.

Misbranding of the "Sa-Van-" was alleged in said information for the reason that the statements, to wit, "One level teaspoonful of Sa-Van- may be used for each egg called for in recipe," "Use about $\frac{1}{2}$ less shortening," and "A Delicious and Wholesome Cereal, Milk and Leavening Product to be used in making Muffins, * * * etc., or any recipe calling for whole eggs," borne on the packages containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article was an egg substitute, that is to say, that 1 level teaspoonful of said article could be used for each egg called for in recipe, that when using the article about $\frac{1}{2}$ less shortening would be required, and that said article was a delicious and wholesome cereal, milk, and leavening mixture to be used in place of eggs in making muffins, etc., or in any product requiring whole eggs; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was an egg substitute, that is to say, that 1 level teaspoonful of the article could be used for each egg called for in the recipe, that when using the article $\frac{1}{2}$ less shortening would be required, and that said article was a delicious and wholesome cereal, milk, and leavening mixture to be used in place of eggs in making muffins, etc., or in any product requiring whole eggs, in that it was a mixture composed essentially of cereal base, dried skimmed milk, and baking powder, which had no value as an egg substitute.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8027. Misbranding of Egg-Sub. U. S. * * * v. J. S. Ziegler Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (E. & D. No. 9899. I. S. No. 3013-p.)

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the J. S. Ziegler Co., a corporation, Chicago, Ill., alleging the shipment by said company, in violation of the Food and Drugs Act, on or about February 16, 1918, from the State of Illinois into the State of Pennsylvania, of a quantity of an article, labeled in part "Substitute for Eggs * * * Egg-Sub," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an artificially colored mixture composed essentially of cornstarch.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Substitute for eggs," "Egg-Sub," "Use Egg-Sub in place of eggs," "Use this package in place of three dozen eggs in cooking or baking," and "Use one level teaspoonful for each egg called for in your recipe," borne on the label attached to the package containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article was an egg substitute, that is to say,

that said article was a substitute for eggs, that said article could be used in place of eggs, that the contents of each of said packages could be used in place of 3 dozen eggs in cooking and baking, and that 1 level teaspoonful of said article could be used for each egg called for in recipe; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was an egg substitute, that is to say, that said article was a substitute for eggs, that said article could be used in place of eggs, that the contents of each of said packages could be used in place of 3 dozen eggs in cooking and baking, and that 1 level teaspoonful of said article could be used for each egg called for in recipe, whereas, in truth and in fact, said article was not a substitute for eggs, said article could not be used in place of eggs, the contents of each of said packages could not be used in place of 3 dozen eggs in cooking and baking, and 1 level teaspoonful of said article could not be used for each egg called for in recipe, in that it was an artificially colored mixture composed essentially of cornstarch, which had no value as an egg substitute.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8028. Misbranding of O-Zo-Nol. U. S. * * *, v. Ozonol Chemical Co., a Corporation. Confessed judgment. Fine, \$10 and costs. (F. & D. No. 2906. I. S. No. 8966-p.)

On September 6, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ozonol Chemical Co., a corporation, Odessa, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 18, 1918, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "O-Zo-Nol * * * Mfd. only by Ozonol Chemical Co., Kansas City, Mo. Odessa, Mo." which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an ointment composed essentially of small amounts of camphor, menthol, boric acid, beta-naphthol, and zinc oxid in a petrolatum base.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the jars and cartons containing the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for eczema and all eruptions and diseases of the skin, nasal catarrh, hay fever, sore throat, erysipelas, all inflammatory conditions of the skin or mucous membrane, tetter, tonsilitis, croup, and piles, when, in truth and in fact, it was not.

It was alleged in substance that the article was misbranded for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing in the booklet accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all inflamed, itching, and irritated conditions of the skin, all inflamed, itching, and irritated diseases of the skin, earache, salt rheum, psoriasis, nasal catarrh, cold in the chest and lungs, inflamed eyes, boils, neuralgia, and nervous headache, when, in truth and in fact, it was not.

On June 5, 1920, the case having come on for disposition, the defendant corporation, having been called upon to answer the information, confessed judgment through its counsel, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8029. Adulteration and misbranding of Royal Quality Scratch Feed and Every Day Scratch Feed. U. S. * * * v. Rudy-Patrick Seed Co., a Corporation. Confessed judgment. Fine, \$60 and costs. (F. & D. No. 9975. I. S. Nos. 19502-m, 20478-m, 8325-p.)

On February 2, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Rudy-Patrick Seed Co., a corporation, Kansas City, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 6, 1917, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "Royal Quality Scratch Feed," and on or about May 22, 1917, from the State of Missouri into the State of Arkansas, of two consignments, to Little Rock and Fort Smith, respectively, of quantities of an article, labeled in part "Every Day Scratch Feed," which were adulterated and misbranded.

Analysis and examination of a sample of the Royal Quality Scratch feed by the Bureau of Chemistry of this department showed that it contained 4.68 per cent of crude fiber and 53.88 per cent of carbohydrates, and that it consisted mainly of corn, oats, wheat, and excessive grit, with a small amount of kafir corn, milo maize, and sunflower seed, and in addition flax, sorghum, millet, and a small amount of weed seeds. The Every Day Scratch feed of the Little Rock consignment contained 43 per cent of carbohydrates, 1.95 per cent of fat, and 32.6 per cent of grits (crushed limestone), in the Fort Smith consignment it contained 8 per cent of crude protein, 1.70 per cent of crude fat, 45.6 per cent of carbohydrates, and 27.5 per cent of grits (crushed limestone), and each consignment consisted of wheat, corn, barley, oats, weed seed, and crushed limestone, with a trace only, if any, of kafir corn, sunflower seed, and milo maize.

Adulteration of both of the articles was alleged in substance in the information for the reason that limestone had been mixed and packed therewith so as to lower and reduce or injuriously affect its quality, and had been substituted in part for scratch feed, which the article purported to be.

Misbranding of the Royal Scratch feed was alleged in substance in the information for the reason that the statements, to wit, "Carbo 65.00% Fiber 3.00%" and "Ingredients Wheat, Corn, Kafir Corn, Milo Maize, Barley or Oats and Sunflower Seed," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 65 per cent of carbohydrates and not more than 3 per cent of fiber, and that it consisted of the ingredients named on the label, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 65 per cent of carbohydrates and not more than 3 per cent of fiber, and that it consisted of the ingredients named on the label, whereas, in truth and in fact, it contained less than 65 per cent of carbohydrates and more than 3 per cent of fiber, and did not consist of the ingredients named on the label, but consisted of a product containing flax, sorghum, millet, and weed seed. Misbranding was alleged for the further reason that it was a mixture containing an excessive proportion of limestone, and was offered for sale and sold under the distinctive name of another article, to wit, scratch feed.

Misbranding of the Every Day Scratch feed (Little Rock consignment) was alleged for the reason that the statements, to wit, "Carbo 52.00% * * * Fat 3.00%" and "Ingredients Wheat, Corn, Kafir Corn, Milo Maize, Barley or Oats, Crys-Co Grit and Sunflower Seed," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained 52 per

cent of carbohydrates and 3 per cent of fat, and that it consisted of the ingredients named on the label as aforesaid, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 52 per cent of carbohydrates and 3 per cent of fat, and that it consisted of the ingredients named on the label, whereas, in truth and in fact, the article did not contain 52 per cent of carbohydrates and 3 per cent of fat, but contained a less amount, and did not consist of the ingredients named on the label, but consisted of a product containing wheat, corn, barley, oats, crushed limestone, and weed seed.

Misbranding of the Every Day Scratch feed (Fort Smith consignment) was alleged for the reason that the statements, to wit, "Protein 8.50% * * * Carbo 52.00% * * * Fat 3.00%," and "Ingredients Wheat, Corn, Kaffir Corn, Milo Maize, Barley or Oats, Crys-Co Grit and Sunflower Seed," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained 8.50 per cent of protein, 52 per cent of carbohydrates, and 3 per cent of fat, and that it consisted of the ingredients named on the label, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 8.50 per cent of protein, 52 per cent of carbohydrates, and 3 per cent of fat, whereas, in truth and in fact, it did not contain 8.50 per cent of protein, 52 per cent of carbohydrates, and 3 per cent of fat, but contained a less amount, and did not consist of the ingredients named on the label, but consisted of a product containing wheat, corn, barley, oats, crushed limestone, and weed seed.

On June 5, 1920, the case having come on for disposition, the defendant corporation, having been called upon to answer to the information, confessed judgment through its counsel, and the court imposed a fine of \$10 on each of the 6 counts, making a total of \$60 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8030. Misbranding of noodles and alleged misbranding of spaghetti and macaroni. U. S. * * * v. 300 Cases of Noodles, 1,000 Cases of Spaghetti, and 1,300 Cases of Macaroni. Tried to the court. Decree of condemnation and forfeiture as to certain of the packages of noodles. Product ordered released on bond. Spaghetti and macaroni and such of the packages of noodles as were not remarked ordered returned to claimant, The Cleveland Macaroni Co. (F. & D. No. 10265. I. S. Nos. 6929-r, 6930-r, 6931-r. S. No. C-1213.)

On May 15, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases of noodles, 1,000 cases of spaghetti, and 1,300 cases of macaroni, remaining in the original unbroken packages at St. Paul, Minn., alleging that the articles had been shipped on or about April 14, 1919, from St. Louis, Mo., by The Cleveland Macaroni Co., Cleveland, Ohio, and transported from the State of Missouri into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The noodles were labeled, "Golden Age Trade-Mark The Machine Dried Noodles Contain Egg Net Weight" ("5 oz." marked out) "4 Oz. America's Greatest Value 10¢ because from America's Largest Plant Machine Formed The new process The Cleveland Macaroni Co., Cleveland, O. U. S. A. Modern Macaroni Makers," the spaghetti was labeled in part, "Golden Age Trade Mark The Machine Dried Spaghetti Net Weight 7 Ounces America's Greatest Value because from America's Largest Plant The Cleveland Macaroni Co., Cleveland, O. U. S. A.

Modern Macaroni Makers," and the macaroni was labeled in part, "Golden Age Trade Mark The Machine Dried Americanized Macaroni Net Weight 7 Ounces America's Greatest Value because from America's Largest Plant The Americanized Macaroni The Cleveland Macaroni Co., Cleveland, O. U. S. A."

Misbranding of the articles was alleged in the libel for the reason that the net weight of each and every [one] of said packages of noodles, spaghetti, and macaroni was not plainly and conspicuously declared, and for the further reason that it was food in package form, and the quantity of contents was not plainly and conspicuously declared.

On March 24, 1920, the case having come on for hearing before the court without a jury, the court, after hearing the arguments of counsel and considering the pleadings, found that the allegations in the libel charging the misbranding of the packages of spaghetti, packages of macaroni, and packages of noodles, except such as were re-marked as to net contents, were not established, and that the allegations charging the misbranding of the packages of noodles wherein the weight had been marked out and the new weight added had been established, and it was ordered that the spaghetti, macaroni, and noodles in packages not re-marked be returned to the claimant of the goods, the said The Cleveland Macaroni Co., and that the packages of the noodles which had been re-marked be condemned and forfeited to the United States. It was further ordered that said re-marked packages might be returned to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8031. Misbranding of Prescription 1000 External and Prescription 1000 Internal. U. S. * * * v. 3 Dozen Bottles * * * Prescription 1000 * * * External * * * and 7 Dozen Bottles of * * * Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10533. I. S. No. 15016-r. S. No. E-1514.)

On or about June 10, 1919, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of a drug product, known as and labeled "Prescription 1000 For External Use Only," and 7 dozen bottles of a drug product, known as and labeled "Prescription 1000 Internal," remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped by the Reese Chemical Co., Cleveland, Ohio, on or about May 14, 1919, and transported from the State of Ohio into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the Prescription 1000 External by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of potassium permanganate.

Misbranding of this article was alleged in substance in the libel for the reason that the following statements, appearing on the label and on the wrapper of each of the packages, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed by the language of said label and said circular: (Carton) "For Gonorrhœa and Gleet Prescription 1000 External Will not produce stricture. Contains no harmful ingredients and can be used without danger of stricture. Prescription 1000 External A companion to our internal treatment used in obstinate cases where immediate results are desired. Prescription 1000 External is an efficient treatment for Gonorrhœa and Gleet. * * * Price one

dollar per bottle;" (circular) "Prescription 1000 External A companion of Prescription 1000 Internal, and is used with it, when convenient, in obstinate cases of Gonorrhœa or Gleet where the patient desires immediate relief. It can be used without Prescription 1000 Internal, but for best results both the Internal and External should be used."

Analysis of a sample of the Prescription 1000 Internal showed that it consisted essentially of a slightly alkaline emulsion of balsam of copaiba and methyl salicylate.

Misbranding of this article was alleged in substance for the reason that it did not contain any ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for it by the language on the cartons and in the circular accompanying and contained in the said cartons, as follows: (Carton) "Prescription 1000 Internal is the most efficient treatment for Gleet and Gonorrhœa * * * New Discovery for Gonorrhœa and Gleet * * * Also a very good treatment for Bladder Troubles, Frequent Urination, Inflammation, * * *;" (circular) "Prescription 1000 Internal For Gonorrhœa, Gleet, Bladder Troubles, Frequent Urination, Inflammation * * *. Continue taking * * * for several weeks after the discharge stops, and follow directions closely to insure permanent relief * * *."

On January 13, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BAIL, *Acting Secretary of Agriculture.*

8032. Misbranding of Injection Zip. U. S. * * * v. 21 7/12 Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10545. I. S. No. 13436-r. S. No. E-1526.)

On June 9, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 $\frac{7}{12}$ dozen bottles of Injection Zip, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about October 28, 1918, by the Baker-Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, hydrastis, opium alkaloids, plant extractives, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing on the label and in the circular accompanying the article were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, as follows: (Bottle) "This Injection * * * cannot produce stricture. Relief being speedy;" (circular) "* * * Injection Zip * * * for male or female. To be used for Gonorrhœa, Gleet and Leucorrhœa. Cannot Produce Stricture * * * an excellent preparation for the treatment of Gonorrhœa, Gleet and Leucorrhœa for male or female. Injection Zip is a tried preparation for the above diseases * * * we have no hesitation in saying that we believe it is to-day, the best injection on the market for the purpose. Ladies troubled with Leucorrhœa (Whites) will obtain a speedy relief. Injection Zip will aid the most obstinate cases in from four to five days * * *."

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8033. Misbranding of Duquoin's Santal Pearls. U. S. * * * v. 32 Bottles of Duquoin's Santal Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10599. I. S. No. 13288-r. S. No. E-1554.)

On June 18, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 32 bottles of Duquoin's Santal Pearls, remaining in the original unbroken packages at Erie, Pa., alleging that the article had been shipped by the William R. Warner Co., New York, N. Y., on or about April 16, 1919, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Duquoin's Santal Pearls Packed by Pfeiffer Chemical Company Office New York, St. Louis."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing oils of santal, cinnamon, and probably copaiba.

Misbranding of the article was alleged in the libel for the reason that the following statements appearing on the bottle labels, wrappers, and circulars, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed: (Wrapper) "Duquoin's Santal Pearls for gonorrhœa and its complications * * *;" (bottle) "Duquoin's Santal Pearls for gonorrhœa and gleet;" (circular) "Duquoin's Compound Santal Pearls * * * Inflammation of the Bladder * * * Santal Pearls is still a valuable remedy * * * Catarrh of the Bladder.—Duquoin's Santal Pearls * * * may be used in cases of Chronic Catarrh of the Bladder * * *."

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8034. Misbranding of Eggoe and White Eggoe. U. S. * * * v. Victor E. Soderquist and Albin T. Soderquist (Eggoe Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10696. I. S. Nos. 9179-p, 16625-p.)

On February 26, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Victor E. Soderquist and Albin T. Soderquist, copartners, trading as the Eggoe Co., Marshalltown, Iowa, alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 16, 1918, from the State of Iowa into the State of Wisconsin, of a quantity of an article, labeled in part "Eggoe," and on or about December 11, 1917, from the State of Iowa into the State of California, of a quantity of an article, labeled in part "White Eggoe," each of which was misbranded.

Analysis of a sample of the Eggoe by the Bureau of Chemistry of this department showed that it consisted of a mixture of cornstarch, albumen, and coal tar dye. The White Eggoe consisted of a mixture of cornstarch and albumen.

Misbranding of the articles was alleged in substance in the information for the reason that the statements, to wit, "May be used in place of eggs," "This package may be used in the place of three dozen eggs," "Use one-third less shortening than the egg recipes call for," "Use one * * * teaspoonful for each egg called for in your recipe," borne on the label attached to the packages containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was an egg substitute, that is to say, that said article could be used in the place of eggs, that each package of the said article could be used in the place of 3 dozen eggs, that $\frac{1}{3}$ less shortening would be required when using the article than the amount called for in recipe when said article was used, and that 1 level teaspoonful of the article could be used in place of each egg called for in recipe, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was an egg substitute, that is to say, that said article could be used in the place of eggs, that each package of the said article could be used in the place of 3 dozen eggs, that $\frac{1}{3}$ less shortening would be required when using the article than the amount called for in recipe when said article was used, and that 1 level teaspoonful of the article could be used in place of each egg called for in recipe, whereas, in truth and in fact, said article was not an egg substitute, that is to say, said article could not be used in the place of eggs, the contents of each of said packages could not be used in the place of 3 dozen eggs, $\frac{1}{3}$ of the shortening called for in recipe could not be dispensed with by the use of the article, and 1 level teaspoonful of the article could not be used in the place of each egg called for in recipe.

On May 6, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8935. Misbranding of Vegetable Blood Purifier. U. S. * * * v. 4 Dozen Packages of Vegetable Blood Purifier. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10628. I. S. No. 15013-r. S. No. E-1556.)

On or about June 20, 1919, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying for the seizure and condemnation of 4 dozen packages of Vegetable Blood Purifier, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped on or about May 17, 1919, by Gibson-Howell Co., Jersey City, N. J., and transported from the State of New Jersey into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of magnesium sulphate, plant extractives including a laxative drug, and sugar, in glycerin, water, and 8.5 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, on the label on the bottle containing, and on the wrapper inclosing the article, falsely and fraudulently represented the article to be a blood purifier and effective as a remedy for eruptive skin diseases, syphilitic affections, salt rheum, ringworm, boils, pimples, ulcers, rheumatism, and all diseases arising from an imperfect state of the blood, to renovate the whole system and restore normal vigor and healthy action to every organ, to relieve scrofula, cancerous or in-

dolent tumors, erysipelas, catarrh, and all disorders due to a depraved condition of the blood, scrofulous diseases in all the various forms, such as king's evil, white swelling, chronic rheumatism, cancer, diseases of the skin and spine, diseases of the heart, tetter, jaundice, dyspepsia, neuralgia, sore eyes, sore nose, and dropsy, to aid nature to remove the humors and poison in the liver, kidneys, bowels, lungs, and skin, to vitalize and enrich, as well as purify and renovate, the blood, tone the nervous system, strengthen the digestive organs, creating an appetite, and to impart to all functions of the body new life and energy, whereas, in truth and in fact, it was not effective for the purposes named.

On January 13, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8036. Adulteration of gelatin. U. S. * * * v. 19 Barrels of Gelatin. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10806. I. S. No. 13599-r. S. No. E-1590.)

On July 1, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 barrels of gelatin, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about April 19, 1919, by J. O. Whitten Co., Winchester, Mass., and transported from the State of Massachusetts into the State of Connecticut, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that there had been mixed and packed with the article excessive amounts of poisonous and deleterious ingredients, to wit, arsenic and copper, which might render the article injurious to health.

On July 22, 1920, the J. O. Whitten Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8037. Misbranding of Sa-Van-. U. S. * * * v. The Naama Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11039. I. S. Nos. 5686-r, 5892-r.)

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Naama Co., a corporation, Chicago, Ill., alleging shipment by said company, on or about December 5, 1918, and June 8, 1918, from the State of Illinois into the States of Iowa and South Dakota, respectively, of quantities of an article, labeled in part "Sa-Van-," which was misbranded.

Analysis of samples of the article by the Bureau of Chemistry of this department showed that it consisted chiefly of corn meal and baking powder, or sodium bicarbonate, milk solids being present in negligible quantity, if at all.

Misbranding of the article was alleged in the information for the reason that the following statements, appearing on the labels thereof and in the booklet accompanying the same, to wit, "One level teaspoonful of Sa-Van- may be used for each egg," "Cooked without eggs," "May be used in place of three dozen

eggs in cooking and baking only," "Saves about one-third the shortening," "Use one-third less shortening than usual," "How to cook and bake entirely without expensive eggs," "Sa-Van- which may be used in place of eggs," "Sa-Van- will make without a single egg the most delicious cakes and other foods," "For each whole egg called for, a level teaspoonful of Sa-Van- may be used with no eggs whatsoever," "It matters not how many eggs are called for, you can use Sa-Van-," and "Sa-Van- gives practically the same result as expensive eggs," were false and misleading in that they represented to the purchasers of said article that the same was an egg substitute and could be used as a substitute for eggs in cooking, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers thereof into the belief that the same was an egg substitute and could be used as a substitute for eggs in cooking, whereas, in fact and in truth, it was not an egg substitute, nor could the same be used in place of eggs in cooking.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8038. Misbranding of A Texas Wonder. U. S. * * * v. 70 Bottles, More or Less, of A Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11470 I. S. No. 8710-r. S. No. C-1522.)

On October 11, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a drug, labeled in part "A Texas Wonder," remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about September 11, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the carton containing, and in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for stone in the kidneys, inflammation of the bladder, and tuberculosis of the kidneys, for kidney and bladder troubles, diabetes, weak and lame backs, rheumatism and gravel, and for regulating bladder trouble in children, whereas, in truth and in fact, it was not effective for the purposes named.

On January 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8039. Adulteration of sardines. U. S. * * * v. 13 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12439. I. S. Nos. 13495-r, 13496-r. S. No. E-2094.)

On or about May 6, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 cases of sardines, remaining unsold in the original unbroken

packages at Buffalo, N. Y., alleging that the article had been shipped on or after February 10, 1920, from New Orleans, La., and transported from the State of Louisiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Sardines in Salt Packed by Sherwood Sea Food Company, San Pedro, Calif."

Adulteration of the article was alleged in the label in that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance, and was unfit for food.

On May 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S040. Misbranding of Knoxit. U. S. * * * v. 4 Boxes, More or Less, of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9839. I. S. No. 6870-r. S. No. C-1091.)

On March 8, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 2, 1919, an amended libel, for the seizure and condemnation of 4 boxes of Knoxit at St. Joseph, Mo., alleging that the article had been shipped on or about October 22, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution containing glycerin, zinc acetate, and hydrastis, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the carton inclosing, in the circular accompanying, and on the label on the bottle containing the article, falsely and fraudulently represented the article to be a prophylactic, and to be effective as a remedy for gonorrhœa, leucorrhœa, catarrhal affections of the eye, nose, throat, and genito-urinary organs, inflammation, hemorrhoids, ulcers, eyes, and throat, whereas, in truth and in fact, it was not effective.

On December 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S044. Misbranding of Knoxit. U. S. * * * v. 5 Dozen Bottles, More or Less, of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9927. I. S. No. 6881-r. S. No. C-1114.)

On March 21, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Knoxit," at St. Joseph, Mo., alleging that the article had been shipped on or about November 5, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution containing glycerin, zinc acetate, and hydrastis, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative and therapeutic effects of the article, appearing in the circular accompanying, on the carton enclosing, and on the label on the bottles containing the article, falsely and fraudulently represented the article to be a prophylactic, and to be a remedy for gonorrhœa, blennorrhœa, catarrhal affections of the eye, nose, throat, and genito-urinary organs, inflammation, hemorrhoids, ulcers, eyes, and throat, whereas, in truth and in fact, it was not effective.

On December 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8042. Misbranding of Gon-nor. U. S. * * * v. 120 Bottles Containing a Product Called Gon-nor. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11168. I. S. No. 17028-r. S. No. E-1688.)

On September 16, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Gon-nor," at San Juan, P. R., alleging that the article had been shipped on November 12, 1918, by the Occidental Medicine Co., Arecibo, P. R., and offered for sale and sold in Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution containing acetates and sulphates of zinc and lead and extractives of catechu and wild-cherry bark.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative and therapeutic effects of the article, appearing on the carton enclosing, in the circular accompanying, and on the label on the bottle containing the article, falsely and fraudulently represented the article to be effective as an astringent on the mucous membranes of the urethra in acute gonorrhœa, chronic gonorrhœa, urethritis, fluxes, and catarrhs of the urethral tract, whereas, in truth and in fact, it was not effective.

On May 26, 1920, J. M. Blanco & Co., Inc., claimant, having consented to the entry of the decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8043. Misbranding of Gon-nor. U. S. * * * v. 60 Bottles Containing a Product Called Gon-nor. (F. & D. No. 11169. I. S. No. 17029-r. S. No. E-1689.)

On September 16, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Gon-nor," at San Juan, P. R., alleging that the article had been shipped some time between November 13, 1918, and September 16, 1919, by the Occidental Medicine Co., Arecibo, P. R., and offered for sale and sold in Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution containing acetates and sulphates of zinc and lead and extractives of catechu and wild-cherry bark.

Misbranding of the article was alleged in that certain statements appearing in the circular accompanying, on the carton enclosing, and on the label on the bottle containing the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as an astringent on the mucous membranes of the urethra in acute gonorrhœa, chronic gonorrhœa, urethritis, fluxes, and catarrhs of the urethral tract, whereas, in truth and in fact, it was not effective.

On May 26, 1920, the Porto Rico Drug Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8044. Misbranding of Milks Emulsion. U. S. * * * v. 6 Dozen Bottles, Small Size, of a Drug Labeled in Part "Milks Emulsion." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11374. I. S. No. 16431-r. S. No. E-1777.)

On October 2, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Milks Emulsion," at Macon, Ga., alleging that the article had been shipped on or about April 19, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small amounts of sugar, glycerin, and essential oils.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative and therapeutic effects of the article, appearing on the label on the bottle containing the article, falsely and fraudulently represented the article as a valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, bronchial asthma, catarrhal croup, and bronchitis, and especially beneficial in incipient consumption, whereas, in truth and in fact, it was not effective. Further misbranding was alleged in that the statement in the booklet accompanying the article, to wit, "Milks Emulsion contains a great amount of fat," was false and misleading, since it contained no fat.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8045. Misbranding of Gono-Cide Injection. U. S. * * * v. 42 Bottles, More or Less, of Gono-Cide Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11423. I. S. No. 8703-r. S. No. C-1510.)

On October 9, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of a certain quantity of a certain article, labeled in part "Gono-Cide Injection," at Kansas City, Mo., alleging that the article had been shipped on or about August 3, 1916, by the Campbell Drug Co., Bartlesville, Okla., and transported from the State of Oklahoma into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of a zinc salt, alum, oil of eucalyptus, phenol, methylene blue, and boric acid.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the carton enclosing, and on the bottle containing the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhœa, gleet, and whites, as the most powerful germicide known, and as the greatest remedy on the American market for the private diseases of men and women, inflammation, congestion, falling of the womb, or irregular menstruation, whereas, in truth and in fact, it was not effective for the purposes named.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8046. Adulteration of clams. U. S. * * * v. Fred H. Snow. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 11446. I. S. Nos. 12699-r, 12976-r, 13003-r.)

On December 18, 1919, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fred H. Snow, Pine Point, Maine, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 24, 1919, and April 1, 1919, from the State of Maine into the State of Massachusetts, of a quantity of clams which were adulterated.

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the product was excessively washed, causing soaking.

Adulteration of the article was alleged in the information, in that water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that water had been substituted in part for clams, which the article purported to be.

On May 13, 1920, the defendant entered a plea of nolo contendere, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8047. Misbranding of Santaloids. U. S. * * * v. 1 Dozen Packages of Santaloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11453. I. S. No. 8794-r. S. No. C-1537.)

On October 11, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Santaloids," at St. Louis, Mo., alleging that the article had been shipped on or about April 25, 1919, by Frederick Stearns & Co., Detroit, Mich., and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of santal oil.

Misbranding of the article was alleged in substance in the libel in that the statements regarding the curative or therapeutic effect of the article, appearing on the carton enclosing, in the circular accompanying, and on the label on the bottle containing the article, falsely and fraudulently represented the article to be effective in the treatment of gonorrhœa and inflammation of mucous membranes, especially of the urinary tract, whereas, in truth and in fact, it was not effective.

On May 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8048. Adulteration of raisins. U. S. * * * v. 1,128 Boxes, More or Less, of Raisins. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11512. I. S. No. 8389-r. S. No. C-1591.)

On or about November 12, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Raisins," alleging that the article had been shipped on or about July 15, 1919, by the California Raisin Co., Parlier, Calif., and transported from the State of California into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that sand had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength, and in that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On December 15, 1919, the Youngstown Macaroni Co., claimant, having consented to the entry of the decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceeding and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8049. Misbranding of G. S. Remedy. U. S. * * * v. 27 Bottles, More or Less, of an Article of Drugs Labeled in Part "G. S. Remedy." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11547. I. S. No. 9077-r. S. No. C-1614.)

On or about January 2, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 bottles of a certain article, labeled in part "G. S. Remedy," at Cairo, Ill., consigned by L. M. Gross, Little Rock, Ark., alleging that the article had been shipped on or about August 2, 1919, and transported from the State of Arkansas into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution containing unidentified vegetable extractives and small amounts of potassium iodid and alcohol.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing

on the cartons enclosing, in the circular accompanying, and on the labels on the bottles containing the article, falsely and fraudulently represented the article to be effective as a remedy in case of pellagra, rheumatism, lumbago, sciatica, neuralgia, scrofula, eczema, indigestion, dyspepsia, biliousness, constipation, malaria, chills and fever, nervousness, stomach, liver, kidney, and bladder diseases, syphilis, and all diseases arising from impure blood or diseases of the liver or kidneys, whereas, in truth and in fact, it was not effective.

On January 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8039. Adulteration and misbranding of so-called sugar corn. U. S. * * *
v. 400 Cases and 715 Cases of So-Called Sugar Corn. Consent de-
crees of condemnation and forfeiture. Product ordered sold.
(E. & D. Nos. 10423, 10424. I. S. Nos. 7657-r, 7658-r. S. No. C-1238.)**

On May 24, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 400 cases and 715 cases of so-called sugar corn, remaining unsold in the original unbroken packages at Parsons, Kans., alleging that the article had been shipped on or about October 5, 1918, by W. E. Robinson & Co., Clarksville, Ohio, and transported from the State of Ohio into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled in part, "Purest Brand Extra Fine Sugar Corn Packed by A. A. Linton, Clarksville, Ohio," or "Good Health Brand Sugar Corn Packed by A. A. Linton, Clarksville, Ohio."

Adulteration of the article was alleged in the libels for the reason that field corn had been substituted in whole or in part for sugar corn, which product it purported to be.

Misbranding was alleged for the reason that the statements on the labels of the article were false and misleading, and were calculated to deceive and mislead the purchaser into believing that the product was pure sugar corn, when, in truth and in fact, it was field corn.

On November 10, 1919, the cases having come on for disposition, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be sold by the United States marshal, and that the purchaser execute good and sufficient bonds in the aggregate sum of \$1,000, conditioned in part that the product should not be disposed of in violation of law, State or Federal.

E. D. BALL, *Acting Secretary of Agriculture.*

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Snow, Fred H.-----	8046	Scudder Syrup Co.-----	8022
Corn, sugar:		Injection, Gono-Cide:	
Robinson, W. E., & Co.-----	8050	Campbell Drug Co.-----	8045
Cottonseed cake. <i>See</i> Feed.		Zip:	
meal. <i>See</i> Feed.		Baker-Levy Chemical Co.-----	8032
Dairy molasses feed. <i>See</i> Feed.		Kar-Kol:	
Duquoin's Santal Pearls:		Kar-Ru Chemical Co.-----	*8021
Warner, William B., Co.-----	8033	Kar-Nitum:	
Eggoe:		Kar-Ru Chemical Co.-----	*8021
Eggoe Co.-----	8034	Kar-Ru:	
Eggs:		Kar-Ru Chemical Co.-----	*8021
Kirkland Mercantile Co.-----	8013	Knoxit:	
Egg-Sub:		Beggs Mfg. Co.-----	8040, 8041
Ziegler, J. S., Co.-----	8027	Macaroni:	
Emulsion, Milks:		Cleveland Macaroni Co.-----	8030
Milks Emulsion Co.-----	8044	Milks Emulsion:	
Feed, cake meal:		Milks Emulsion Co.-----	8044
Chicago Heights Oil Mfg.		Molasses feed. <i>See</i> Feed.	
Co.-----	8023	Mumford's Navy Blood and Rheu-	
cottonseed cake:		matic Remedy:	
Apache Cotton Oil & Mfg.		Mumford's Navy Medicine	
Co.-----	8002	Co.-----	8025
cottonseed meal:		Noodles:	
Apache Cotton Oil & Mfg.		Cleveland Macaroni Co.-----	8039
Co.-----	8002	Oil, olive:	
Central Cotton Oil Co.-----	8018	Joannidi, Achilles-----	8003
East St. Louis Cotton Oil		Joannidi & Perides-----	8003
Co.-----	8014, 8016	Olive oil. <i>See</i> Oil.	
Planters' Oil Mill & Gin		Oranges:	
Co.-----	8011	Sutherland Fruit Co.-----	8019
gluten:		O-Zo-Nol:	
Continental Cereal Co.-----	8010	Ozonol Chemical Co.-----	8028
molasses:		Poultry feed. <i>See</i> Feed.	
Gibbons, John T.-----	8024	Prescription 1000:	
poultry, scratch:		Reese Chemical Co.-----	8031
Rudy-Patrick Seed Co.-----	8029	Raisins:	
Fish, sardines:		California Raisin Co.-----	8048
Sherwood Sea Food Co.-----	8039	Rheumatic remedy:	
tuna:		Mumford's Navy Medicine	
United Tuna Packers.-----	8004, 8006	Co.-----	8025
smoked:		Saccharin:	
Lane, David H., Co.-----	8009	Wood, W. B., Mfg. Co.-----	8017

Santal Pearls, Duquoin's:	N. J. No.	Sugar corn. <i>See</i> Corn.	N. J. No.
Warner, William R., Co---	8033	Texas Wonder:	
Santaloids:		Hall, E. W.-----	8007, 8038
Stearns, Frederick, & Co---	8047	Tomatoes, canned:	
Sardines. <i>See</i> Fish.		Webster, Noah-----	8005
Sa-Van:		Tuna fish. <i>See</i> Fish.	
Nacma Co-----	8026, 2037	Vegetable blood purifier:	
National Clock & Mfg. Co-	8026	Gibson-Howell Co-----	8035
Sa-Van-Eg:		compound and iodide of potas-	
National Clock & Mfg. Co-	8026	sium:	
Scratch feed. <i>See</i> Feed, poultry.		Simpson, Dr. A. B., Co----	8008
Simpson's Vegetable Compound and		Vinegar:	
Iodide of Potassium:		Old Homestead Mfg. Co----	8015
Simpson, Dr. A. B., Co----	8008	White's Wonder Worker:	
Sirup, Green Mountain:		W. W. W. Medicine Co----	8012
Scudder Syrup Co-----	8022	Wonder Worker, White's:	
Smoked fish. <i>See</i> Fish.		W. W. W. Medicine Co----	8012
Spaghetti:			
Cleveland Macaroni Co----	8030		

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8951-8169.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 22, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8051. Adulteration of milk. U. S. * * * v. Steinlage Sanitary Milk Co., a Corporation. Plea of nolo contendere to first count of the indictment. Fine, \$100 and costs. Second count of the indictment dismissed. (F. & D. No. 10454. I. S. Nos. 9731-p, 10568-p.)

On October 9, 1919, the grand jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment in two counts against the Steinlage Sanitary Milk Co., a corporation, St. Louis, Mo., charging shipment by said company, in violation of the Food and Drugs Act, on September 28, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Examination of a sample of the product by the Bureau of Chemistry of this department showed that it was filthy and decomposed.

Adulteration of the article was charged in the first count of the indictment for the reason that it consisted in part of a filthy and decomposed animal substance.

On May 22, 1920, a plea of nolo contendere to the first count of the indictment was entered on behalf of the defendant corporation, and the court imposed a fine of \$100 and costs. The second count of the indictment was dismissed on motion of the United States attorney.

E. D. BALL, *Acting Secretary of Agriculture.*

8052. Adulteration and misbranding of so-called sugar corn. U. S. * * * v. 1,390 Cases of So-Called Sugar Corn. Consent decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 10471. I. S. No. 7659-r. S. No. C-1267.)

On June 3, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,390 cases of so-called sugar corn, 390 of which remained unsold in the original unbroken packages at Independence, Kans., and 1,000 of which remained unsold

in the original unbroken packages at Chanute, Kans., alleging that the article had been shipped by W. E. Robinson & Co., Clarksville, Ohio, on or about October 5, 1918, and transported from the State of Ohio into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled in part, "Purest Brand Extra Fine Sugar Corn. Packed by A. A. Linton, Clarksville, Ohio."

Adulteration of the article was alleged in the libel for the reason that field corn had been substituted in whole or in part for sugar corn, which product it purported to be.

Misbranding was alleged for the reason that the statements on the labels of the article were false and misleading and were calculated to deceive and mislead the purchaser into believing that the product was pure sugar corn, when, in truth and in fact, it was field corn.

On November 10, 1919, the case having come on for disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal, and that the purchaser thereof execute a good and sufficient bond in the sum of \$500, conditioned in part that the product would not be disposed of contrary to law, State or Federal.

E. D. BALL, *Acting Secretary of Agriculture.*

8053. Adulteration and misbranding of Big G. U. S. * * * v. 11½ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10523. I. S. No. 13435-r. S. No. E-1493.)

On June 9, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen bottles of Big G, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 27, 1919, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that it was labeled on the carton "A Compound of Borated Goldenseal," whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that the statement "A Compound of Goldenseal" was false and misleading since the product contained no goldenseal. Misbranding was alleged for the further reason that the following and similar statements appearing on the cartons, bottles, and booklets, regarding the curative and therapeutic effects of the article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed: (Carton, English) "Big G A Compound of Borated Goldenseal A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs;" (same statements in French, Spanish, and German); (bottle) "Big G, a non-poisonous Tonic * * * a Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat,

Eye and Ear;" (booklet, English, page 2) "Catarrh, Chronic, of the Head, * * * Hay Fever;" (page 3) "Inflammation of the Eye. * * * Cystitis;" (page 4) "Gastritis—Catarrh of the Stomach. * * * Hemorrhoids—Piles;" (page 5) "Throat Troubles. * * * Gonorrhœa;" (page 7) "Gleet, Chronic Gonorrhœa, Stricture * * * Folliculitis. * * * Gonorrhœal Prostatitis;" (page 8) "Spermatorrhœa * * * Bubo * * * Gonorrhœal Cystitis. * * * As a preventive. * * * Leucorrhœa, Whites, Catarrh of the Vagina;" (page 10) "Gonorrhœa in Women; (equivalent statements in booklet in Spanish, French, and German).

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that said property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8054. Misbranding of Methyloids. U. S. * * * v. 14 Dozen Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11272. I. S. No. 17073-r. S. No. E-1735.)

On September 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 dozen bottles of Methyloids, remaining in the original unbroken packages at Ponce, P. R., alleging that said article had been offered for sale and sold at said Ponce, on or about September 2, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Methyloids Frederick Stearns & Co., Detroit, Michigan, U. S. A. Windsor, Ont. London, Eng. New York City."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing methylene blue, santal oil, copaiba balsam, a fixed oil, with combined sulphur, and oil of cinnamon.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that certain statements regarding the curative or therapeutic effect thereof, on the bottle labels and cartons, and in the circular accompanying the article, falsely and fraudulently represented it to be a successful treatment of gonorrhœa and effective as a treatment for gonorrhœa, its complications, and all cases where a urinary antiseptic is indicated, and as an antiblemnorrhagic and urinary antiseptic, when, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8055. Misbranding of Helmitol. U. S. * * * v. 2 Dozen Bottles of Helmitol. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11279. I. S. No. 17072-r. S. No. E-1730.)

On October 1, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen bottles of Helmitol, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been sold and offered for sale at said Ponce, on September 2, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Bayer Tablets Urinary Antiseptic," (circular) "Bladder Catarrh, Prostatitis," and "The Bayer Company, Inc. New York, U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted of a mixture of helmitol (anhydro-methylene citrate hexamethylene tetramine) and talc.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that the labels of the article bore a statement, regarding it and the ingredients and substances contained therein, which was false and fraudulent, that is to say, the label on said bottles and cartons and the circulars inclosed bore statements representing the article to be effective for the cure and prevention of diseases and disorders in the urinary tract, such as bladder catarrh and prostatitis, whereas, in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 30, 1920, G. Villaronga & Hijo, Ponce, P. R., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8056. Misbranding of Methyloids. U. S. * * * v. 17 Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11304. I. S. No. 17061-r. S. No. E-1747.)

On October 4, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 bottles of Methyloids, remaining at Bayamon, P. R., alleging that said article had been offered for sale and sold at said Bayamon, on or about June 3, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Methyloids Frederick Stearns & Co., Detroit, Michigan, U. S. A. Windsor, Ont. London, Eng. New York City."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing methylene blue, santal oil, copaiba balsam, a fixed oil with combined sulphur, and oil of cinnamon.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that certain statements regarding the curative or therapeutic effect thereof, on the bottle labels and cartons, and in the circular accompanying the article, falsely and fraudulently represented it to be a successful treatment of gonorrhœa and effective as a treatment for gonorrhœa, its complications, and all cases where a urinary antiseptic is indicated, as an antibleunorrhagic, and urinary antiseptic, when, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8057. Misbranding of Sulpho-Saline Still Natural Mineral Water. U. S. * * * v. Excelsior Springs Mineral Water & Bottling Co., a Corporation. Confessed judgment. Fine, \$10 and costs. (F. & D. No. 11437. I. S. No. 6855-r.)

On December 3, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Excelsior Springs Mineral Water & Bottling Co., a corporation, Excelsior

Springs, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 8, 1918, from the State of Missouri into the State of Nebraska, of a quantity of an article, labeled in part "Sulpho-Saline Still Natural Mineral Water * * * Excelsior Springs Mineral Water & Bottling Co., Excelsior Springs Missouri," which was misbranded.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

IONS.

Chlorid (Cl)-----	3, 858
Sulphate (SO ₄)-----	1, 080
Bicarbonate (HCO ₃)-----	446
Sodium (Na)-----	2, 739
Magnesium (Mg)-----	100
Calcium (Ca)-----	224
Silica (SiO ₂)-----	9
Ammonium (NH ₄)-----	2
	<hr/> 8, 458

HYPOTHETICAL COMBINATIONS.

Sodium chlorid (NaCl)-----	6, 354
Sodium sulphate (Na ₂ SO ₄)-----	738
Magnesium sulphate (MgSO ₄)-----	495
Calcium sulphate (CaSO ₄)-----	263
Calcium bicarbonate (Ca (HCO ₃) ₂)-----	593
Silica (SiO ₂)-----	9
Ammonium chlorid (NH ₄ Cl)-----	6
	<hr/> 8, 458

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for stomach troubles, headaches, jaundice, and vertigo, when, in truth and in fact, it was not.

On May 7, 1920, the case having come on for disposition, the defendant corporation, having been called upon to answer the information, confessed judgment through its counsel, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8058. Misbranding of Schoen-feld Kidney and Liver Tea. U. S. * * * v. S. Pfeiffer Mfg. Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11794. I. S. No. 7691-r.)

On April 21, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the S. Pfeiffer Manufacturing Co., St. Louis, Mo., alleging shipment by said defendant, on or about May 17, 1919, from the State of Missouri into the State of Illinois, of a quantity of an article of drugs which was misbranded in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted chiefly of senna, uva ursi, fennel, anise seed, and orange peel, with small amounts of sassafras, buckthorn bark, licorice, juniper, and possibly dog grass.

Misbranding of the article was alleged in the information in that certain statements appearing on the label on the carton inclosing the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for the diseases of the kidneys and liver, derangements of the stomach, liver, kidneys, bladder, bowels, urinary disorders, female complaints, piles, gravel, dyspepsia, general debility, indigestion, rheumatism, malaria, headache, and la grippe, as a purifier of the blood, and as a preventive for all diseases caused by disordered kidneys and liver, whereas, in truth and in fact, it was not effective as a remedy for the diseases named.

On April 23, 1920, defendant having entered a plea of guilty to the information, the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S059. Misbranding of Beto Stock Feed, Derby Stock Feed, and Circle D Stock Feed. U. S. * * * v. Dyersburg Milling Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11808. I. S. Nos. 17643-r, 17644-r, 17645-r, 17646-r, 17647-r, 17648-r.)

On April 20, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dyersburg Milling Co., a corporation, Dyersburg, Tenn., alleging shipment on or about April 22, April 29, May 3, May 27, May 22, and May 16, 1919, from the State of Tennessee into the State of Georgia, of quantities of articles which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

Composition.	Beto feed.				Derby feed.	Circle D feed.
	Shipment of—				Shipment of Apr. 29.	Shipment of May 16.
	Apr. 22.	May 3.	May 27.	May 22.		
Protein.....	<i>Per cent.</i> 6.33	<i>Per cent.</i> 6.22	<i>Per cent.</i> 5.99	<i>Per cent.</i> 5.90	<i>Per cent.</i> 6.02	<i>Per cent.</i> 6.09
Fiber.....	16.52	17.48	18.96	17.46	20.24	18.82
Fat.....						1.74

Misbranding of the articles labeled "Beto Stock Feed" and "Derby Stock Feed" was alleged in the information in that the statement on the label on the bags containing the articles, to wit, "Guaranteed Analysis Protein 9.00 Fibre 15.00," was false and misleading in that it represented that the said articles contained not less than 9 per cent of protein and not more than 15 per cent of fiber, whereas, in truth and in fact, the articles contained less than 9 per cent of protein and more than 15 per cent of fiber. Misbranding was further alleged in that the statement deceived and misled the purchaser into the belief that the article contained not less than 9 per cent of protein and not more than 15 per cent of fiber, whereas, in truth and in fact, the articles contained less than 9 per cent of protein and more than 15 per cent of fiber.

Misbranding of the article labeled "Circle D Stock Feed" was alleged in the information in that the statement appearing on the label on the bag containing the article, to wit, "Protein 9.00 Fat 2.00 Fibre 15.00," was false and misleading in that it represented that the article contained not less than 9 per cent of

protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, whereas, in truth and in fact, the article contained less than 9 per cent of protein, less than 2 per cent of fat, and more than 15 per cent of fiber. The article was further misbranded in that the above statement deceived and misled the purchaser into the belief that the article contained not less than 9 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, whereas, in truth and in fact, the article did contain less than 9 per cent of protein, less than 2 per cent of fat, and more than 15 per cent of fiber.

On May 7, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8060. Misbranding of The Texas Wonder. U. S. * * * v. 116 Packages of a Product Labeled "The Texas Wonder," etc. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9562. I. S. No. 16136-r. S. No. E-1198.)

On December 31, 1918, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "The Texas Wonder," remaining unsold in the original unbroken packages at Macon, Ga., alleging that the article had been shipped on or about December 10, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the carton containing and in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for kidney and bladder troubles, diabetes, weak and lame backs, rheumatism, gravel, regulator of bladder trouble in children, stone in the kidneys, tuberculosis of the kidneys, whereas, in truth and in fact, it was not.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8061. Adulteration and misbranding of aspirin. U. S. * * * v. 12,000 Tablets of a Product Purporting to be Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9567. I. S. No. 7484-r. S. No. C-1028.)

On January 6, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article purporting to be aspirin (acetylsalicylic acid), remaining unsold in the original unbroken packages at Macon, Mo., alleging that the article had been shipped on or about December 23, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The packages were labeled in part, "1,000 5-gr. Acetylsalicylic Acid Tablets Aspirin."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted of salicylic acid, milk sugar, starch and talc, and that they contained no acetylsalicylic acid or aspirin.

Adulteration of the article was alleged in the libel in that the product fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, to wit, "Acetylsalicylic Acid Tablets," was false and misleading.

On May 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8062. Adulteration and misbranding of aspirin. U. S. * * * v. 9 Packages, Each Containing 1,000 5-Grain So-Called Acetylsalicylic Acid Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9615. I. S. No. 13337-r. S. No. E-1206.)

On January 17, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Acetylsalicylic Acid Tablets 'Aspirin,'" remaining unsold in the original unbroken packages at Blairsville, Pa., alleging that the article had been shipped on or about December 7, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained no acetylsalicylic acid, but consisted essentially of salicylic acid, starch, sugar, and talc.

Adulteration of the article was alleged in the libel in that its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, regarding the article, to wit, "Acetylsalicylic Acid Tablets," was false and misleading in that the tablets contained no acetylsalicylic acid, but consisted essentially of salicylic acid, talc, sugar, and starch. Further misbranding was alleged in that it was an imitation of, and was offered for sale under the name of another article, to wit, acetylsalicylic acid.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8063. Adulteration and misbranding of tankage. U. S. * * * v. Pittsburgh Provision & Packing Co., a Corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 9653. I. S. No. 15610-p.)

On January 28, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pittsburgh Provision & Packing Co., Pittsburgh, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, on April 4, 1918, from the State of Pennsylvania into the State of Ohio, of a quantity of tankage which was adulterated and misbranded. The article was labeled in part, "100 Lbs. Digestible Tankage Meat & Bone Analysis Protein 32.25% * * * Pittsburgh Provision and Packing Co. Pittsburgh, Pa."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was low in protein and that it contained a large amount of salt and glass.

Adulteration of the article was alleged in the information in that a substance, to wit, salt, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength. Further adulteration was alleged in that a substance, to wit, salt, had been substituted in part for digestible tankage, meat, and bone, which the article purported to be. Further adulteration was alleged in that the article contained an added deleterious ingredient, to wit, glass, which might render the article injurious to health.

Misbranding of the article was alleged in that the statements on the label of each sack containing the article, regarding the article, were false and misleading in that they represented that the article consisted wholly of tankage, meat, and bone, and contained not less than 32.25 per cent of protein, whereas, in truth and in fact, the article did not consist wholly of tankage, meat, and bone, but was a mixture which consisted in large part of salt, and did contain less than 32.25 per cent protein, to wit, approximately 24.3 per cent of protein. Further misbranding was alleged in that the article was so labeled as to deceive and mislead the purchaser into the belief that the article consisted wholly of tankage, meat, and bone, and contained not less than 32.25 per cent of protein, whereas, in truth and in fact, the article did not consist wholly of tankage, meat, and bone, but contained a large part of salt, and contained less than 32.25 per cent of protein, to wit, approximately 24.3 per cent of protein.

On February 26, 1920, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8064. Misbranding of cottonseed product. U. S. * * * v. Mangum Cotton Oil Mill Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9659. I. S. No. 20331-m.)

On July 3, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mangum Cotton Oil Mill Co., Mangum, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 2, 1917, from the State of Oklahoma into the State of Kansas, of a certain quantity of an article labeled in part "Cottonseed Cake or Meal * * * 100 Pounds Gross or 99 Pounds Net," which was misbranded.

Examination of the article by the Bureau of Chemistry of this department showed that the average gross weight of 43 sacks was 94.5 pounds.

Misbranding of the article was alleged in the information in that the statement on the tag on the sacks containing the article, regarding the article, to wit, "100 Pounds Gross or 99 Pounds Net," was false and misleading in that it represented that each sack contained 99 pounds of the article, whereas, in truth and in fact, each sack did not contain 99 pounds of the article, but a less amount. Misbranding was alleged further in that the article was so labeled as to deceive and mislead the purchaser into the belief that the sacks contained 99 pounds net of the article, whereas, in truth and in fact, they contained less. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 4, 1919, the defendant pleaded guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

5065. Misbranding of cottonseed feed. U. S. * * * v. Valley Mfg. Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9669. I. S. No. 2597-p.)

On July 8, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Valley Manufacturing Co., Vicksburg, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 2, 1917, from the State of Mississippi into the State of Florida, of a certain quantity of a certain article, labeled in part "Valley Brand Cotton Seed Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained less portein and fat than declared on the tag and also contained added cottonseed hulls.

Misbranding of the article was alleged in the information in that the statement on the tags on the sacks containing the article, regarding the article, to wit, "Protein 20.00%, Crude Fat 4.00%," was false and misleading in that it represented that the article contained not less than 20 per cent of protein and not less than 4 per cent of crude fat, whereas, in truth and in fact, the article contained less than 20 per cent of protein and less than 4 per cent of crude fat, to wit, 18.8 per cent of protein and 2.3 per cent of crude fat. Further misbranding was alleged in that the article was so labeled as to deceive and mislead the purchaser into the belief that the article contained not less than 20 per cent of protein and not less than 4 per cent of crude fat, whereas, in truth and in fact, it did contain less of each.

On January 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

5066. Misbranding of hog cholera cure. U. S. * * * v. 4 Pails, Each Containing 25 Pounds of Hog Cholera Cure. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9675. I. S. No. 5872-r. S. No. C-1048.)

On or about February 6, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Pratts Hog Cholera Cure," remaining unsold in the original unbroken packages at Canton, Ohio, alleging that the article had been shipped on or about November 26, 1918, by the Pratt Food Co., Chicago, Ill., and transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphur, charcoal, fenugreek, unidentified plant tissue, and salt.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the pails containing the article, falsely and fraudulently represented the article to be effective as a blood purifier and disease eradicator in hogs, for the prevention and cure of hog cholera, and the cure of thumps, diphtheria, scours, catarrh, rheumatism, and apoplexy, whereas, in truth and in fact, it was not so effective.

On September 10, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8067. Adulteration and misbranding of cottonseed meal. U. S. * * * v. John T. Gibbons. Plea of guilty. Fine, \$20. (F. & D. No. 9724. I. S. No. 15493-p.)

On July 2, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John T. Gibbons, New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 18, 1918, from the State of Louisiana into the State of Mississippi, of a certain quantity of an article labeled in part "Cotton Seed Meal Registered by J. T. Gibbons, New Orleans, La.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained an excessive amount of cottonseed hulls and 2.88 per cent of nitrogen.

Adulteration of the article was alleged in the information in that cottonseed hulls had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further adulteration was alleged in that cottonseed hulls had been substituted in whole or in part for cottonseed meal, which the article purported to be.

Misbranding of the article was alleged in that statements on the labels on the sacks containing the article regarding the article, to wit, "Cotton Seed Meal Prime" and "Nitrogen 6.18 Per Cent," were false and misleading in that they represented that the article was cottonseed meal, and that it contained not less than 6.18 per cent of nitrogen, whereas, in truth and in fact, the article was not cottonseed meal, but was a mixture comprising cottonseed hulls, and contained less than 6.18 per cent of nitrogen, to wit, approximately 2.88 per cent of nitrogen. The article was further misbranded in that it was labeled so as to deceive and mislead the purchaser into the belief that the article was cottonseed meal and contained not less than 6.18 per cent of nitrogen, whereas the article was not cottonseed meal but was a mixture comprising cottonseed hulls, and contained less than 6.18 per cent of nitrogen, to wit, 2.88 per cent of nitrogen.

On June 15, 1920, the defendant pleaded guilty to the information, and the court imposed a fine of \$20.

E. D. BALL, Acting Secretary of Agriculture.

8068. Adulteration and misbranding of canned peas. U. S. * * * v. Fall River Canning Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9735. I. S. Nos. 9471-p, 9473-p.)

On May 20, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fall River Canning Co., Fall River, Wis., alleging shipment by said defendant, on or about March 21, 1918, in violation of the Food and Drugs Act, from the State of Wisconsin into the State of Minnesota, of certain quantities of an article labeled in part "Fall River Brand Wisconsin Sifted Sweet Peas," "Fifth Ave. Brand Selected Sweet Peas," and "Packed by Fall River Canning Co., Fall River, Wis.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was neither sweet nor selected peas, and that it contained considerable foreign matter and was somewhat decomposed.

Adulteration of the article was alleged in the information in that various foreign substances and extraneous material had been mixed and packed with the article, so as to lower and reduce and injuriously affect its quality and strength. Further adulteration was alleged in that various foreign substances and extraneous material had been substituted in part for sifted sweet peas.

Misbranding of the article was alleged in that the statement on the labels on the cans containing the article regarding the article, to wit, "Sifted Sweet Peas," was false and misleading in that it represented that the article was sifted sweet peas, whereas, in truth and in fact, it was not sifted sweet peas but was a mixture composed in part of various foreign substances and extraneous material. Further misbranding was alleged in that the article was so labeled as to deceive and mislead the purchaser into the belief that it was sifted sweet peas, whereas, in truth and in fact, it was not sifted sweet peas but was a mixture composed in part of various foreign substances and extraneous material.

On September 19, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8069. Adulteration of gelatin. U. S. * * * v. Clarkson Glue Co., a Corporation. Plea of guilty. Fine, costs. (F. & D. No. 9737. I. S. No. 15526-p.)

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clarkson Glue Co., Chicago, Ill., alleging shipment by the defendants, on or about September 27, 1918, from the State of Illinois into the State of Nebraska, of a certain quantity of an article, invoiced as gelatin, which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained glue and excessive arsenic, copper, and zinc.

Adulteration of the article was alleged in the information in that a substance, to wit, glue, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality. Further adulteration was alleged in that glue had been substituted in part for gelatin, which the article purported to be. Further adulteration was alleged in that the article contained added poisonous and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render the article injurious to health.

On March 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

8070. Adulteration of shell eggs. U. S. * * * v. Fred J. Wilkinson and John T. Whitted (Wilkinson & Whitted). Plea of guilty. Fine, \$25. (F. & D. No. 9808. I. S. No. 6554-r.)

On April 29, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fred J. Wilkinson and John T. Whitted, a partnership, trading as Wilkinson & Whitted, Trenton, N. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 18, 1918, from the State of North Dakota into the State of Minnesota, of certain quantities of an article which was adulterated.

Examination of the article by the Bureau of Chemistry of this department showed in 3 half cases 81 inedible eggs, or 15 per cent.

Adulteration of the article was alleged in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 17, 1919, the defendant pleaded guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8071. Misbranding of herring. U. S. * * * v. William G. Danton, A. James, jr., and R. Wesley Willey (Irvington Packing Co.). Plea of guilty. Fine, \$50. (F. & D. No. 9814. I. S. No. 4070-p.)

On May 29, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William G. Danton, A. James, jr., and R. Wesley Willey, a partnership, trading as the Irvington Packing Co., Irvington, Va., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about June 5, 1918, from the State of Virginia into the State of Maryland, of certain quantities of an article which was misbranded.

Examination of the article by the Bureau of Chemistry of this department showed that none of the containers of the article were labeled as to the net weight thereof.

Misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, and numerical count.

On October 6, 1919, the defendants pleaded guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8072. Misbranding of Pabst's Okay Specific. U. S. * * * v. 21 Bottles, More or Less, of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10550. I. S. No. 15014-r. S. No. E-1519.)

On or about June 10, 1919, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled, in part, "Pabst's Okay Specific," at Wilmington, Del., alleging that the article had been shipped on or about April 18, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copalba, cubeba, buchu, uva ursi, water, and 28.24 per cent by volume of alcohol.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing the article, falsely and fraudulently represented the article to be effective as a treatment for gonorrhœa, gleet, urethritis, and chronic mucous discharges, whereas, in truth and in fact, it was not. Misbranding was further alleged in that the statement on the label on the bottle, to wit, "Alcohol 24%," was false and misleading, in that the article contained more alcohol, to wit, 28.24 per cent by volume.

On January 15, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8073. Misbranding of Black Caps. U. S. * * * v. 2 Dozen Packages, More or Less, of Black Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10786. I. S. No. 7000-r. S. No. C-1354.)

On July 14, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a drug, labeled in part "Black Caps," remaining unsold in the original unbroken packages at La Salle, Ill., alleging that the article had been shipped on June 26, 1917, by the Safety Remedy Co., Canton, Ohio, and transported from the State of Ohio into the State of Illinois, and charging misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of balsam of copaiba and cubebs.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the carton containing, and in the circular accompanying the article, falsely and fraudulently represented the article to be effective for the treatment of gonorrhœa, urethritis, cystitis, and other inflammatory conditions of the urinary tract, inflammatory affections of the genito-urinary organs, as a stimulant to the mucous membranes, especially of the genito-urinary tract, rendering prompt service in the relief of inflamed or irritated condition in the passages, through the medication of the exposed mucous surfaces, in the treatment of specific urethritis (simple gonorrhœa) * * * chronic cystitis (inflammation of the bladder) resulting from gonorrhœa, leucorrhœa, vaginal gonorrhœa, sub-acute, and chronic pyelitis, atonic impotence * * * prostatic abscess, chronic inflammation of the vesical neck (bladder) accompanied by tenesmus (ineffectual straining), nocturnal and incontinence of urine, and the component drugs entering into this prescription to be primarily among the best * * *, whereas, in truth and in fact, it was not effective.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S074. Misbranding of Black Caps. U. S. * * * v. 15 Packages, More or Less, Each Containing 6 Boxes of a Drug Known as Black Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10840. I. S. No. 7198-r. S. No. C-1363.)

On July 22, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain drug, labeled in part "Black Caps," remaining unsold in the original unbroken packages at New Albany, Ind., alleging that the article had been shipped on or about September 13, 1918, by the Safety Remedy Co., Canton, Ohio, and transported from the State of Ohio into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially powdered cubebs, saw palmetto, and copaiba.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the carton enclosing, and in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a treatment of inflammatory affections of the genito-urinary organs * * * stimulant to the mucous membranes, especially of the genito-urinary tract, rendering prompt

service in the relief of inflamed or irritated conditions of the passages, through the medication of the exposed mucous surfaces, chronic cystitis (inflammation of the bladder), resulting from gonorrhœa, leucorrhœa, vaginal gonorrhœa, sub-acute and chronic pyelitis, atonic impotence * * * prostatic abscess, chronic inflammation of the vesical neck (bladder), accompanied by tenesmus (ineffectual straining), nocturnal and incontinence of urine, and the component drugs entering into this prescription to be primarily among the best * * * in the treatment of specific urethritis (simple gonorrhœa), whereas, in truth and in fact, it was not effective.

On February 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8075. Misbranding of Palmo Midds. U. S. * * * v. Newsome Feed & Grain Co., a Corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 11034. I. S. No. 15160-p.)

On January 28, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Newsome Feed & Grain Co., Pittsburgh, Pa., alleging shipment on or about April 1, 1918, in violation of the Food and Drugs Act, from the State of Pennsylvania into the State of Indiana, of a certain quantity of an article, labeled in part "Palmo Midds," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture.....	3.92
Nitrogen	2.06
Protein.....	12.85
Fat.....	7.45
Crude fiber.....	14.70
Cob meal, approximately.....	5.0

Adulteration of the article was alleged in the information in that a substance, to wit, cob meal, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further adulteration was alleged in that cob meal had been substituted in part for "Palmo Midds," that is to say, a product composed wholly of cleaning middlings and palm oil, which the article purported to be.

Misbranding of the article was alleged in that the statement on the tag attached to the sack containing the article, regarding the article and its ingredients, to wit, "Guaranteed Analysis Crude Protein 16%, * * * Crude Fiber 7%, Cleaning Middlings and Palm Oil," was false and misleading in that it deceived and misled the purchaser into believing that the article contained not less than 16 per cent of crude protein and not more than 7 per cent of crude fiber and consisted of cleaning middlings and palm oil, whereas, in truth and in fact, it contained less than 16 per cent of crude protein and more than 7 per cent of crude fiber and did not consist wholly of cleaning middlings and palm oil, but consisted in part of cob meal.

On March 12, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8076. Misbranding of Injection Zip. U. S. * * * v. 3 Dozen Bottles, More or Less, of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11475. I. S. No. 8620-r. S. No. C-1556.)

On October 21, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Injection Zip," remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped on or about December 27, 1917, by the Baker-Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute solution of lead and zinc salts, berberine, and opium, in water and a small amount of alcohol.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing, and in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhœa in male and female, gleet and leucorrhœa (whites), whereas, in truth and in fact, it was not effective.

On March 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8077. Misbranding of B-I-F Combination and B-I-F Capsules. U. S. * * * v. 1½ Dozen Packages of B-I-F Combination and 1 Dozen Packages of B-I-F Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11491. I. S. Nos. 15901-r, 15902-r. S. No. E-1840.)

On November 5, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "B-I-F Combination" and "B-I-F Capsules," remaining unsold in the original unbroken packages at Philadelphia, Pa., consigned by The Hollander-Koshland Co., Baltimore, Md., alleging that the article had been shipped on or about October 17, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the B-I-F Combination consisted of 2 preparations, an injection, and an emulsion. The injection consisted essentially of a dilute aqueous solution of zinc sulphate, phenol, and glycerin, and the emulsion consisted essentially of an alkaline mixture of copaiba and oils of santal and peppermint. The capsules consisted essentially of copaiba and oils of santal, turpentine, and cinnamon.

Misbranding of the article was alleged in the libel in that certain statements appearing on the carton enclosing and in the circular accompanying the article, regarding the therapeutic or curative effects of the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhœa, gleet, and disorders of a similar nature and origin, whereas, in truth and in fact, it was not effective.

On November 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8078. Misbranding of Injection Zip. U. S. * * * v. **6 Dozen Bottles, More or Less, of Injection Zip.** Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11505. I. S. No. 8629-r. S. No. C-1569.)

On November 4, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Injection Zip," remaining unsold in the original unbroken packages at Minneapolis, Minn., consigned on or about November 10, 1917, alleging that the article had been shipped by the Baker Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute solution of lead and zinc salts, berberine, and opium, in water and alcohol.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the bottle containing and in the circular accompanying the article, regarding the therapeutic or curative effects of the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhoea in male or female, gleet, and leucorrhoea, whereas, in truth and in fact, it was not effective.

On March 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8079. Misbranding of "G Zit" Complete—Stearns' and G Zit Antiseptics—Stearns'. U. S. * * * v. **8 Packages of Drugs.** Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11511. I. S. Nos. 8857-r, 8850-r. S. Nos. C-1578, C-1579.)

On January 15, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of certain quantities of certain articles, labeled in part "'G Zit' Complete—Stearns'" and "G Zit Antiseptic Stearns'," at Detroit, Minn., alleging that the article had been shipped on or about March 10, 1918, and August 26, 1918, by the Stearns-Hollinshead Co. (Inc.), Portland, Oreg., and transported from the State of Oregon into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the G Zit Complete consisted of two preparations, the antiseptics and bougies. The antiseptics consisted essentially of copaiba balsam, oleoresin of cubeb, and a fixed oil containing combined sulphur. The bougies consisted essentially of silver nucleinate in a cacao butter base.

Misbranding of the articles was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the articles, appearing on the carton enclosing, in the circulars accompanying, and on the box containing the articles, falsely and fraudulently represented the articles as a treat-

ment and cure for gonorrhœa, to destroy the germs of gonorrhœa, and for the prevention of gleet, stricture, prostatitis, and seminal vesiculitis, whereas, in fact and in truth, it was not.

On March 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S080. Adulteration of shell eggs. U. S. * * * v. Leander A. Goodwin and Robert F. Jean (Goodwin & Jean). Plea of guilty. Fine, \$20. (F. & D. No. 9490. I. S. No. 8510-p.)

On March 3, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leander A. Goodwin and Robert F. Jean, trading as Goodwin & Jean, Batesville, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on July 27, 1917, from the State of Arkansas into the State of Missouri, of a quantity of an article which was adulterated.

Examination of 1,620 eggs by the Bureau of Chemistry of this department showed 309 inedible eggs, or 19.07 per cent.

Adulteration of the article was alleged in the information in that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On April 12, 1920, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$20.

E. D. BALL, *Acting Secretary of Agriculture.*

S081. Adulteration and misbranding of acetanilid co. tablets. U. S. * * * v. 20 Boxes of Acetanilid Co. Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9559. I. S. No. 16038-r. S. No. E-1194.)

On December 31, 1918, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Acetanilid Co. Tablets," remaining unsold in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about October 15, 1918, by Chas. Huisking Co., Brooklyn, N. Y., and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled "Acetanilid Co. Tablets 2,500 (5 gr.) Verandah Chemical Co. Brooklyn, N. Y."

Analysis of a sample by the Bureau of Chemistry of this department showed that the article contained an average of 0.263 grain of acetanilid per tablet.

Adulteration of the article was alleged in the libel in that it was sold under and by a name recognized in the United States National Formulary, to wit, "Acetanilid Tablets," and differed from the standard of strength, quality, and purity as determined by the tests laid down in the United States National Formulary, in that the article did not contain the quantity of acetanilid prescribed by the said National Formulary but contained a less quantity, only 0.263 grain of acetanilid. Further adulteration was alleged in that the strength and purity of the article fell below the professed standard and quality under which it was sold, in that it contained only 0.263 grain of acetanilid.

Misbranding of the article was alleged in that the statements on the label on the package containing the article, regarding the article, to wit, "Acetanilid Co. Tablets (5 gr.)," was false and misleading in that it represented to the purchaser

that each tablet contained the quantity of acetanilid prescribed by the United States National Formulary, whereas, in truth and in fact, each tablet did not contain the quantity of acetanilid prescribed by the Formulary, but contained a less amount, to wit, 0.263 grain of acetanilid per tablet. Further misbranding was alleged in that the article was sold as an imitation of and was offered for sale under the name of "Acetanilid Tablets (5 gr.)," whereas, in truth, the article did not contain 5 grains of acetanilid per tablet, but contained only 0.263 grain of acetanilid per tablet. Further misbranding was alleged in that the package containing acetanilid failed to bear a statement on the label thereof of the quantity or proportion of acetanilid contained in the tablets.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8082. Misbranding of tomato paste. U. S. * * * v. Rosario Raspanti.
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9815. I. S. No. 5962-r.)

On May 24, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rosario Raspanti, Crystal Springs, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on June 24, 1918, from the State of Mississippi into the State of Louisiana, of a quantity of an article labeled in part "Turkey Brand Tomato Paste," which was adulterated.

Examination of the article by the Bureau of Chemistry of this department showed that the contents of the cans were short weight.

Misbranding of the article was alleged in the information in that the statement on the labels on the cans containing the article, regarding the article, to wit, "Net Weight 5 Ounces," was false and misleading in that it represented the net weight to be 5 ounces, whereas, in truth and in fact, it was less. Misbranding was further alleged in that the article was food in package form, and the contents were not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 5, 1919, Rosario Raspanti pleaded guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8083. Misbranding of extract ginger. U. S. * * * v. Noah Products Corporation, a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9850. I. S. No. 16113-r.)

On July 24, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Noah Products Corporation, a corporation, Richmond, Va., alleging shipment by said defendant company, on or about September 4, 1918, from the State of Virginia into the State of South Carolina, in violation of the Food and Drugs Act, of a quantity of extract ginger which was misbranded. The article was labeled in part, "2½ Ozs. Noah's Extract Ginger. Noah Products Corporation, Richmond, Va."

Examination of the product by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement "2½ Ozs," borne on the labels attached to the bottles containing

the article, was false and misleading in that it represented that the contents of said bottles was not less than $2\frac{1}{2}$ fluid ounces, whereas, in truth and in fact, the contents of said bottles was not $2\frac{1}{2}$ fluid ounces but was a less amount.

On October 8, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

S084. Adulteration and misbranding of vinegar. U. S. * * * v. Fred F. Braswell (Richmond Vinegar Co.). Plea of guilty. Fine, \$100. (F. & D. No. 9903. I. S. Nos. 1720-p, 3631-p, 3632-p, 4203-p.)

On July 24, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fred F. Braswell (Richmond Vinegar Co.), Richmond, Va., alleging shipment by said defendant, on or about October 3, and June 19, 1917, and May 16, 1918, in violation of the Food and Drugs Act, from the State of Virginia into the State of North Carolina, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part, "Gold Medal Apple Vinegar Reduced to 4% strength," "Gold Medal Pure Apple Products Vinegar," or "Pride Distilled Colored Vinegar," and "Richmond Vinegar Co., Richmond, Va. Distributors."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the apple vinegar in the shipment of October 3 had an acidity of 3.57 grams of acetic acid per 100 cc., and in the shipment of June 19, an acidity of 3.82 grams per 100 cc. The distilled vinegar in the shipment of May 16 had an acidity of 3.72 grams acetic acid per 100 cc., and the apple products vinegar in the shipment of May 16 was made from waste apple products.

Adulteration of the article was alleged in the libel with respect to the vinegar labeled "Apple Vinegar * * * Reduced to 4% Strength," in that water had been mixed and packed with, and substituted in whole or in part for, apple vinegar reduced to 4 per cent strength. Adulteration was alleged with respect to the vinegar labeled "Pure Apple Products Vinegar" for the reason that a vinegar made from waste apple products had been mixed and packed with, and substituted in whole or in part for, pure apple products vinegar, which the product purported to be. Adulteration was alleged with respect to the vinegar labeled "Distilled Colored Vinegar" for the reason that excessive water had been mixed and packed with, and substituted in whole or in part for, distilled colored vinegar, which the product purported to be.

Misbranding of the apple vinegar in each shipment was alleged for the reason that the statement "Apple Vinegar * * * Reduced to 4% Strength," borne on the barrels containing the article, was false and misleading, and deceived and misled the purchaser, in that it represented that the articles were apple vinegar reduced to 4 per cent strength, whereas, in truth and in fact, the articles were not apple vinegar reduced to 4 per cent strength, but were a mixture of less than 4 per cent strength, composed in part of water. Misbranding was alleged for the further reason that the above shipments comprised an imitation of, and were offered for sale under the distinctive name of, another article, to wit, apple vinegar reduced to 4 per cent strength.

Misbranding was alleged with respect to the product labeled "Pure Apple Products Vinegar" in that the statement borne on the barrels containing the article was false and misleading and deceived and misled the purchaser, in that it represented that the article was pure apple products vinegar, whereas, in truth and in fact, it was not pure apple products vinegar, but was a vinegar made from waste apple products. Misbranding was also alleged with

respect to the above shipment in that it was an imitation of, and was offered for sale under the distinctive name of, another article.

Misbranding of the article was alleged with respect to the shipment labeled "Distilled Colored Vinegar" in that the statement borne on the barrels containing the article was false and misleading and deceived and misled the purchaser, in that it represented that said article was distilled colored vinegar, whereas, in truth and in fact, it was not distilled colored vinegar, but was a mixture composed in part of excessive water. Misbranding was alleged for the further reason that the above shipment was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 6, 1919, the defendant entered a plea of guilty, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

8085. Misbranding of cottonseed feed. U. S. * * * v. Glen Allen Oil Mill, a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9908. I. S. No. 7159-p.)

On January 5, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Glen Allen Oil Mill, Glen Allen, Miss., alleging shipment by said defendant company, on or about November 15, 1917, in violation of the Food and Drugs Act, from the State of Mississippi into the State of Maine, of a quantity of cottonseed feed which was misbranded. The article was labeled in part "Guaranteed Analysis Jay Brand F. W. Brode & Co. Memphis, Tenn. Jobbers Established, 1875. Cotton Seed Feed 100 lbs. gross. 99 lbs. net. Ammonia, Minimum, 7.00% Protein, Minimum 36.00%."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Nitrogen -----	5.45
Ammonia -----	6.62
Protein -----	34.05

Misbranding of the article was alleged in the information for the reason that the statements "Ammonia, Minimum 7.00%" and "Protein, Minimum 36.00%," borne on the tags attached to the article, were false and misleading, and deceived and misled the purchaser, in that they represented that said article contained not less than 7 per cent of ammonia and not less than 36 per cent of protein, whereas, in truth and in fact, said article did contain less than 7 per cent of ammonia and did contain less than 36 per cent of protein.

On July 5, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8086. Adulteration and misbranding of oil of sassafras. U. S. * * * v. 1 Package Containing 60 Pounds of a Product Purporting to be Oil of Sassafras. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9939. I. S. No. 12831-r. S. No. E-1272.)

On March 25, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 package, containing 60 pounds of a product purporting to be oil of sassafras, remaining unsold in the original unbroken packages at Boston, Mass.,

alleging that the article had been shipped on or about February 22, 1919, by Charles V. Sparhawk, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding under the Food and Drugs Act.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted largely of imitation oil of sassafras obtained from camphor oil, with a small amount of natural oil of sassafras.

Adulteration of the article was alleged in substance in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by tests therein laid down, and in that it fell below the professed standard of quality under which it was sold, in that it consisted in whole or in part of synthetic oil of sassafras made from waste camphor oil, with a small amount of natural oil of sassafras.

Misbranding of the article was alleged for the reason that a product consisting in whole or in part of synthetic oil of sassafras, made from waste camphor oil with a small amount of natural oil of sassafras, an imitation of oil of sassafras, was offered for sale under the distinctive name of another article, to wit, oil of sassafras.

On July 6, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold at public auction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8087. Misbranding of Knoxit. U. S. * * * 45 Bottles of So-Called Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9940. I. S. No. 6882-r. S. No. C-1124.)

On March 27, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 bottles of so-called Knoxit, remaining unsold in the original unbroken packages at Atchison, Kans., alleging that the article had been shipped on or about March 1, 1919, by the Beggs Manufacturing Co., Chicago, Ill., and transported from the State of Illinois into the State of Kansas, and charging misbranding under the Food and Drugs Act as amended. The article was labeled in part, "Knoxit The great Prophylactic."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution containing zinc acetate, hydrastis, and glycerin, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was the great prophylactic for inflammation of the mucous membranes and a highly efficacious remedy used in the treatment of catarrhal affections of the eyes, nose and throat, and inflammation of the mucous membranes.

On January 12, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8088. Misbranding of Prescription 1000 Internal and Prescription 1000 External. U. S. * * * v. 6 Dozen Bottles of So-Called Drug. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9952. I. S. Nos. 5948-r, 5949-r. S. No. C-1123.)

On March 31, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of so-called drug, 4 dozen bottles of Prescription 1000 Internal, and 2 dozen bottles of Prescription 1000 External, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped on or about February 17, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Kansas, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part "Prescription 1000 Internal" and "Prescription 1000 External."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted essentially of a slightly alkaline emulsion of copaiba and methyl salicylate, and that the Prescription 1000 External consisted essentially of a dilute aqueous solution of potassium permanganate.

Misbranding the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was effective as a treatment for gleet and gonorrhœa, when, in truth and in fact, it was not.

On September 22, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8089. Misbranding of Prescription 1000 Internal and Prescription 1000 External. U. S. * * * v. 2 Dozen Bottles of Prescription 1000 Internal and 1 Dozen Bottles of Prescription 1000 External. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9953. I. S. Nos. 6238-r, 6239-r. S. No. C-1130.)

On April 1, 1919, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen bottles of Prescription 1000 Internal and 1 dozen bottles of Prescription 1000 External, remaining unsold in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped on or about February 27, 1919, by the Reese Chemical Co., of Cleveland, Ohio, and transported from the State of Ohio into the State of Tennessee, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Prescription 1000 Internal" and "Prescription 1000 External."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted essentially of a slightly alkaline solution of copaiba and methyl salicylate, and that the Prescription 1000 External consisted essentially of a dilute aqueous solution of potassium permanganate.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was effective as a treatment for gleet,

gonorrhœa, bladder troubles, frequent urination, and inflammation, whereas, in truth and in fact, it was not.

On March 26, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8090. Adulteration and misbranding of aspirin. U. S. * * * v. 6 Cans of Acetylsalicylic Acid Tablets Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9977. I. S. No. 5523-r. S. No. C-1132.)

On April 8, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 cans of Acetylsalicylic Acid Tablets "Aspirin," remaining unsold in the original unbroken packages at Ashland, Wis., alleging that the article had been shipped on or about November 27, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Wisconsin, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "1000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin' Verandah Chemical Co., Verandah Place, Brooklyn, N. Y."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the tablets consisted essentially of salicylic acid, talc, milk sugar, and starch, with traces of acetylsalicylic acid.

Adulteration of the article was alleged in the libel for the reason that the article was a mixture composed chiefly of salicylic acid, talc, lactose, and corn-starch, with little or no acetylsalicylic acid, and their strength and purity fell below the professed standard or quality under which the said acetylsalicylic acid or aspirin tablets were sold.

Misbranding of the article was alleged in the libel for the reason that the article was an imitation of, and was sold under the name of, another article, to wit, "1000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin,'" and that said statement was false and misleading and calculated to deceive and mislead the purchasers thereof, in that it falsely represented that the article was acetylsalicylic acid or aspirin, whereas, in truth and fact, it was not.

On October 16, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8091. Misbranding of BRSCO. U. S. * * * v. 18 Dozen Bottles of So-called BRSCO. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9993. I. S. No. 5947-r. S. No. C-1137.)

On April 4, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 dozen bottles of so-called BRSCO, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped on or about February 8, 1919, by the Brsco Medicine Co., Nowata, Okla., and transported from the State of Oklahoma into the State of Kansas, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Brsco For the Treatment of Tuberculosis in its Early Stages, Bronchitis, Spanish Influenza, Asthma and Ordinary Coughs and Colds;" (carton) "Brsco For the Treatment of Tuberculosis in its Early Stages, Bronchitis, Spanish Influenza, Hay Fever, Lagrippe, Asthma, and

ordinary Coughs and Colds;" (circular) "Fine for La Grippe, Spanish Influenza, Asthma, and Hay Fever."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of white mineral oil, turpentine, and creosote, with an aqueous solution containing gum acacia, sugar, and a small amount of hypophosphites and alcohol.

Misbranding of the article was alleged in the libel for the reason that the statements regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons, and in the circulars, as aforesaid, were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser and create in the mind of the purchaser the impression and belief that the product was in whole or in part a compound containing ingredients or medicinal agents effective and capable of producing the therapeutic effects claimed for it on the labels of the bottles and carton and in the circulars, when, in truth and in fact, said article contained no ingredients or combination of ingredients capable of producing the effect so claimed.

On September 22, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8092. Misbranding of Hinkle Capsules. U. S. * * * v. 30 Packages of So-Called Hinkle Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10017. I. S. No. 6883-r. S. No. C-1145.)

On April 12, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 packages of so-called Hinkle Capsules, remaining unsold in the original unbroken packages at Atchison, Kans., alleging that the article had been shipped on or about November 26, 1918, by the Hinkle Capsule Co., Mayfield, Ky., and transported from the State of Kentucky into the State of Kansas, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Hinkle Capsules."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of powdered cubebs, copaiba, small amounts of cannabis indica, pepsin, and probably santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented the article as effective for the treatment of gonorrhœa, gleet, leucorrhœa, and kidney and bladder affections, whereas, in truth and in fact, it was not.

On October 13, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8093. Misbranding of cracked cottonseed feed. U. S. * * * v. Jacksonville Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10050. I. S. No. 19135-p.)

On July 24, 1919, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district an information against the Jacksonville Cotton Oil Co., a corporation, Jacksonville, Tex., alleging shipment by said defendant company, on or about January 3, 1918, in violation of the Food and Drugs Act, from the State of Texas into the State of Nevada, of a quantity of cracked cottonseed feed which was misbranded. The article was labeled in part, "100 Lbs. Net Cracked Cotton Seed Feed No. 4 Contains not more than 10 per cent Hulls Manufactured by Jacksonville Cotton Oil Company Jacksonville, Texas. Guaranteed Analysis Protein Not Less Than 41.20 per cent."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the percentage of protein was 38.31.

Misbranding of the article was alleged in the information for the reason that the statement "Protein Not Less Than 41.20 per cent," borne on the tags attached to the sacks containing the article, was false and misleading and the article was labeled so as to deceive and mislead the purchaser, in that it was represented that said article contained 41.20 per cent of protein, whereas, in truth and in fact, said article did not contain 41.20 per cent of protein, but did contain a less amount.

On April 26, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8094. Misbranding of Prescription 1000 Internal and Prescription 1000 External. U. S. * * * v. 33 Bottles of Prescription 1000 Internal and 9 Bottles of Prescription 1000 External. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10082. I. S. Nos. 5537-r, 5538-r. S. No. C-1167.)

On May 27, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 bottles of Prescription 1000 Internal and 9 bottles Prescription 1000 External, remaining unsold in the original unbroken packages at Superior, Wis., alleging that the article had been shipped on or about March 25, 1919, by the Reese Chemical Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Wisconsin, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Prescription 1000 Internal" and "Prescription 1000 External."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted essentially of an emulsion of balsam of copaiba and methyl salicylate, and that the Prescription 1000 External consisted of a dilute aqueous solution of potassium permanganate.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and cartons accompanying the article, falsely and fraudulently represented that the article was effective as a treatment for gleet, gonorrhœa, bladder troubles, frequent urination, inflammation, and acid urine, whereas, in truth and in fact, it was not.

On October 16, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8095. Misbranding of certified color grape shade. U. S. * * * v. Sethness Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10142. I. S. No. 10982-r.)

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district an information against the Sethness Co., Chicago, Ill., alleging shipment by said company, on or about July 11, 1918, in violation of the Food and Drugs Act, from the State of Illinois into the State of Louisiana, of a quantity of certified color grape shade which was misbranded. The article was labeled in part, "Cosco Guaranteed by Sethness Company Chicago, U. S. A. Est. 1884 Distributors of Certified Color Grape Shade Part of Certified Lots in Solution Net Contents 1 gallon."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it contained amaranth and methylene blue.

Misbranding of the article was alleged in the information for the reason that the statement, "Certified Color Grape Shade Part of Certified Lots in Solution," borne on the labels attached to the jugs containing the article, was false and misleading and deceived and misled the purchaser, in that it represented that said article was a certified color, and that it comprised certified dyes in solution, whereas, in truth and in fact, said article was not a certified color and did not comprise certified dyes in solution, but was a mixture containing methylene blue, an uncertified coal-tar dye. Misbranding was alleged for the further reason that the article was a mixture containing methylene blue, an uncertified coal-tar dye, and was offered for sale and sold under the distinctive name of another article, to wit, certified color, grape shade.

On March 23, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8096. Misbranding of B-I-F Capsules. U. S. * * * v. 125 Boxes, More or Less, of B-I-F Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11489. I. S. No. 7548-r. S. No. C-1518.)

On November 6, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "B-I-F Capsules," remaining unsold in the original unbroken packages at Tulsa, Okla., alleging that the article had been shipped on or about December 30, 1916, by Frederick F. Ingram Co., Detroit, Mich., and transported from the State of Michigan into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially copaiba balsam and oil of cinnamon.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing on the labels on the boxes containing, and in the leaflets accompanying the article, regarding the therapeutic or curative effects of the article, falsely and fraudulently represented the article as a remedy for gonorrhœa (clap), gleet, leucorrhœa (whites), retention and incontinence of the urine, and complaints resulting from inflammation or debility of the urinary organs, whereas, in truth and in fact, it was not effective.

On January 28, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

5097. Misbranding of Madame Dean Antiseptic Suppositories. In the Matter of 2 Boxes of Madame Dean Antiseptic Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11531. I. S. No. 8544-r. S. No. C-1606.)

On November 26, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Madame Dean Antiseptic Suppositories," remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about May 7, 1919, by Martin Rudy, doing business under the name of The United Medical Co., Lancaster, Pa., and transported from the State of Pennsylvania into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a bismuth salt, alum, boric acid, tannin, and a small amount of plant drug in a cacao butter base.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the package containing, and in the circular accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective for the relief of vaginitis, vulvitis, gonorrhœal inflammation, leucorrhœal discharge, inflammation, congestion, and ulceration of the vagina, and leucorrhœa or whites, whereas, in truth and in fact, it was not effective.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

5098. Adulteration and misbranding of olive oil. U. S. * * * v. Accursio Dimino. Plea of guilty. Fine, \$50. (F. & D. No. 11977. I. S. No. 13829-r.)

On January 28, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Accursio Dimino, New York, N. Y., alleging shipment by said defendant, on or about January 31, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "1 Gallon Net Qualità Superiore" (map of Italy and Sicily, cut of girl with Italian flag, and map of Tripolitania), "Olio Puro Garantito Sotto Qualsiasi Analisi Chimica, Guaranteed Under the Pure Food and Drugs Act, June 30, 1906 Garantito Sotto La Legge Del 30 Giugno 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil and corn oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that cottonseed oil and corn oil had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements "Qualità Superiore," "Olio Puro," "Garantito Sotto Qualsiasi Analisi Chimica,"

"Guaranteed Under the Pure Food and Drugs Act, June 30, 1906," and "1 Gallon Net," together with the design and device of the map of Italy and the Italian flag, were false and misleading, and deceived and misled the purchaser in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, that it was guaranteed by the United States Government, and that each of the cans contained 1 gallon of the article, whereas, in truth and in fact, the article was not olive oil, but was a mixture composed in large part of cottonseed oil and corn oil, and the article was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, and it was not guaranteed by the United States Government, and each of the cans did not contain 1 gallon of the article, but did contain a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On June 30, 1920, the defendant entered a plea of guilty, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8009. Adulteration of ice cream cones. U. S. * * * v. 40 Cases of Ice Cream Cones * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12658. I. S. No. 16588-r. S. No. E-2194.)

On May 25, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 cases of ice cream cones, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about March 17, 1920, and transported from the State of South Carolina into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, the product containing musty, rancid, and worm-eaten cones, also weevils and mold.

On June 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8100. Adulteration and misbranding of oats. U. S. * * * v. International Grain Co., a Corporation. Plea of guilty. Fine, \$340. (F. & D. No. 9507. I. S. Nos. 13018-p to 13021-p, inclusive, 13023-p 13024-p, 13026-p, 13027-p, 13029-p to 13050-p, inclusive, 13052-p to 13089-p, inclusive.)

On October 13, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 136 counts against the International Grain Co., a corporation, Minneapolis, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 23, 1918, from the State of Minnesota into the State of Virginia, of 37 carloads, on March 25, 1918, from the State of Minnesota into the State of Maryland, of 30 carloads, on April 6, 1918, from the State of Minnesota into the State of Maryland of 1 carload of an article, each shipment of which was billed as oats or white oats, and in each shipment of which the article was adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed an admixture of screenings, weed seeds, chaff, foreign grain, and other foreign material.

Adulteration of the article in each shipment was alleged for the reason that certain substances, to wit, screenings, weed seeds, chaff, foreign grain, and other foreign material, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for white oats or oats, as the case might be, which the article purported to be.

Misbranding was alleged for the reason that the article was a mixture composed in large part of screenings, weed seeds, chaff, foreign grain, and other foreign material, and was offered for sale and sold under the distinctive name of another article, to wit, white oats or oats, as the case might be.

On October 13, 1919, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$5 for each carload shipped, making an aggregate fine of \$340.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8101-8150.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 19, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8101. Misbranding of Special Horse & Mule Feed, Laymo Poultry Feed, Krak a Jak Poultry Feed, Black Jack Horse & Mule Feed, Gray Mule Horse & Mule Feed, and Success Hen Feed. U. S. * * * v. The Superior Feed Co., a Corporation. Plea of guilty. Fine, \$350 and costs. (F. & D. No. 9663. I. S. Nos. 6822-p, 6823-p, 6824-p, 6825-p, 6826-p, 6827-p, 6828-p, 7133-p, 7134-p, 7728-p, 7798-p.)

On August 18, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Superior Feed Co., a corporation, Memphis, Tenn., alleging shipment by said defendant, on or about January 5, January 16, February 9, February 12, February 16, February 27, March 4, March 13, March 15, March 25, and April 19, 1918, from the State of Tennessee into the States of Georgia and Florida, in violation of the Food and Drugs Act, of quantities of articles, labeled in part "Special Horse & Mule Feed," "Laymo Poultry Feed," "Krak a Jak Poultry Feed," "Black Jack Horse & Mule Feed," "Gray Mule Horse & Mule Feed," and "Success Hen Feed," and on each, "Manufactured by The Superior Feed Co., Memphis, Tenn.," which were misbranded.

Examination of representative samples of the articles by the Bureau of Chemistry of this department showed that the quantity of the contents of the sacks averaged 89.12, 89.10, 94.99, 94.55, 95.72, 87.34, 95.04, 94.8, 89.30, 89.72, and 88.32 pounds, respectively. Analysis of samples from the shipment of March 13, 1918, showed that it contained 9 per cent of protein and 2.43 per cent of fat.

Misbranding of the article in each shipment was alleged in the information in that the statements on the tags attached to the sacks containing the article, regarding the article, to wit, "100 pounds net when packed," "100 pounds net," and "100 pounds Feed Stuff," were false and misleading in that it was represented that each sack contained 100 pounds of the article, whereas, in fact, it did not contain 100 pounds but did contain a less amount. Further misbranding was alleged in that the article was labeled so as to deceive and mislead

the purchaser in that it represented that each sack contained 100 pounds of the article, whereas each sack contained a less amount. Further misbranding of the article in the shipment of March 13, 1918, was alleged in that the statement, to wit, "Guaranteed Analysis: Protein 10% Fat 3.25%," borne on the tags attached to the sacks, was false and misleading in that it represented that the article contained not less than 10 per cent of protein and 3.25 per cent of fat, whereas, in truth and in fact, it contained less than 10 per cent of protein and 3.25 per cent of fat, to wit, 9 per cent of fat and 2.43 per cent of fat. Further misbranding was alleged in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 9, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$350 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S102. Adulteration of shell eggs. U. S. * * * v. John G. Worthy et al. (J. G. Worthy & Co.). Pleas of guilty. Fine, \$60 and costs. (F. & D. No. 9805. I. S. No. 6052-r.)

On May 31, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John G. Worthy, Alfred B. Thornton, and Oliver C. Thornton, a partnership, trading as J. G. Worthy & Co., Bokchito, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 6, 1918, from the State of Oklahoma into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination of samples of the product by the Bureau of Chemistry of this department showed that of the 1½ cases examined 13 per cent of the eggs were inedible.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On September 22, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$60 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S103. Adulteration and misbranding of vinegar. U. S. * * * v. Charles E. McLean (Wallace-McLean Vinegar Co.). Plea of guilty. Fine, \$175 and costs. (F. & D. No. 9849. I. S. Nos. 11916-p, 11917-p, 11920-p.)

On July 22, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles E. McLean, trading as the Wallace-McLean Vinegar Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 8, February 13, and February 10, 1918, from the State of Tennessee into the State of Arkansas, of certain quantities of an article, labeled in part "Excello Brand Vinegar," "Excello Brand Pure Apple Cider Vinegar," and "Simon Pure Brand Vinegar," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained less than 4 per cent of acetic acid and consisted in part of distilled vinegar or dilute acetic acid.

Adulteration of the article in each shipment was alleged in the information in that a substance, to wit, either distilled vinegar or dilute acetic acid and other foreign materials, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further

adulteration was alleged in that a substance, to wit, either distilled vinegar or dilute acetic acid and other foreign materials, had been substituted in part for "Vinegar Reduced to 4% Acetic Strength," which the article purported to be.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, to wit, "Vinegar Reduced to 4% Acetic Strength," was false and misleading and deceived and misled the purchaser into the belief that the article was vinegar reduced to 4 per cent acetic strength, whereas, in truth and in fact, the article was not such vinegar, but consisted of a mixture of less than 4 per cent acetic strength, composed in part of either distilled vinegar or dilute acetic acid and other foreign materials. Further misbranding was alleged in that the statement on the packages containing the article, to wit, "This Vinegar Contains Property Found in Pure Apple Cider Vinegar," was false and misleading and deceived and misled the purchaser in that it represented that the article contained the properties of pure apple cider vinegar, whereas, in truth and in fact, it did not contain the properties of pure apple cider vinegar. Further misbranding was alleged in that it was an imitation of, and was offered for sale under the distinctive name of another article, to wit, "Vinegar Reduced to 4% Acetic Strength."

Misbranding of the article shipped on or about February 13, 1919, was further alleged in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$175 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8104. Adulteration and misbranding of gelatin. U. S. * * * v. 2 Barrels of Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10220. I. S. No. 13277-r. S. No. E-1365.)

On May 16, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels of gelatin, remaining unsold in the original unbroken packages at Connellsville, Pa., alleging that the article had been shipped on or about March 1, 1919, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding under the Food and Drugs Act.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Solution in water: Very cloudy.

Odor: Slight resemblance to glue.

Reaction to litmus: Slightly acid.

A 3 per cent solution yields a semi-jelly of about 50 per cent of standard.

Total ash (per cent)----- 3.12

Copper (mg. per kilo)----- 47.0

Zinc (mg. per kilo)----- 630.0

Adulteration of the article was alleged in substance in the libel for the reason that a substance, to wit, technical glue, had been substituted in whole or in part for gelatin, which the article purported to be. Adulteration was alleged for the further reason that the article contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 25, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8105. Adulteration and misbranding of evaporated milk. U. S. * * * v. Aviston Condensed Milk Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10257. I. S. Nos. 11923-p, 6151-r.)

On July 22, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Aviston Condensed Milk Co., Aviston, Ill., alleging shipment by said defendant, on or about June 8, and May 16, 1918, in violation of the Food and Drugs Act, as amended, from the State of Illinois into the States of Missouri and Ohio, of quantities of evaporated milk which was adulterated and misbranded. The article was labeled " 'Purity' Brand Evaporated Milk Manufactured Expressly for Confectioners and Ice Cream Makers Distributed by United Bakers' Supply Company Jobbers, Importers, Manufacturers Largest Supply House in the West 109-111-113 South Eleventh St. S. W. Cor. Eleventh and Walnut Sts. Saint Louis" and "Our 'Best' Brand Evaporated Milk Manufactured Especially For Ice Cream Makers and Confectioners Guaranteed to Comply with all Provisions of Federal and State Pure Food Laws. Aviston Condensed Milk Co. Aviston Illinois, U. S. A. Net Weight 8 Lbs."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the article labeled "Purity Brand" contained 25.64 per cent of solids and 7.34 per cent of fat, and that the article labeled "Best Brand" in the shipment of June 8 contained 25.34 per cent of solids and 7.10 per cent of fat, and in the shipment of May 16 contained 25.35 per cent of solids and 7.35 per cent of fat. The "Best Brand" in the shipment of June 8, labeled "Net Weight 8 Lbs.," showed in 4 cans an average shortage of 2.25 ounces.

Adulteration of the article was alleged in the information with respect to both shipments for the reason that an insufficiently condensed milk product, low in fat and total solids, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged with respect to both shipments for the reason that the statement "Evaporated Milk," borne on the cans containing the article, was false and misleading and deceived and misled the purchaser, in that it represented that the article was evaporated milk, whereas, in truth and in fact, said article was not evaporated milk, but was an insufficiently condensed milk, low in fat and total solids. Misbranding of "Our Best Brand" in the shipment of June 8, 1918, was alleged for the further reason that the statement "Net Weight 8 Pounds," borne on the cans, was false and misleading and deceived and misled the purchaser, in that each of said cans did not contain 8 pounds of the article. Misbranding of both brands in the shipment of June 8 was alleged for the further reason that they were food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On September 17, 1919, the defendant company entered a plea of guilty, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8106. Misbranding of Big G. U. S. * * * v. 1¼ Dozen Bottles of a Product Labeled in Part "Big G A Compound of Borated Goldenseal." Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 11018. I. S. No. 16544-r. S. No. E-1658.)

On July 24, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Big G," remaining unsold in the original unbroken packages at Macon, Ga., alleging that the article had been shipped on or about June 16, 1919, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution of borax and berberine.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the labels on the bottles containing, on the carton enclosing, and in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for catarrh, hay fever, and inflammatory ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, a treatment for unnatural discharges of the urinary organs, catarrh, hay fever, and inflamed, ulcerated, itching conditions of the skin and mucous membranes or linings of the mouth, nose, throat, eyes and ears, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal prostatitis, bubo, gonorrhœal cystitis, leucorrhœa, whites, catarrh of the vagina, gonorrhœa in women, and other venereal diseases, whereas, in truth and in fact, the article was not effective.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8107. Adulteration and misbranding of Eggola. U. S. * * * v. Wixon Spice Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11037. I. S. No. 15712-p.)

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Wixon Spice Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 13, 1918, from the State of Illinois into the State of South Dakota, of a certain quantity of an article, labeled in part "Eggola," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cornstarch, dried egg, and bicarbonate of soda.

Baking tests with a sample of the article by the Bureau of Chemistry of this department showed that the product was markedly inferior in texture, color, and flavor to a similar product made with eggs.

Adulteration of the article was alleged in that a certain substance, to wit, starch, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength.

Misbranding of the article was alleged in that the article was an imitation of another article and was offered for sale and sold under the distinctive name

of another article. Further misbranding was alleged in that statements on the label on the package containing the article, regarding the article, to wit, "Eggola A Substitute for Eggs in Baking, Cooking, Etc." "Use one level teaspoonful of Eggola * * * for each egg required," "In baking and cooking it is unsurpassed," and "Use Eggola for eggs," were false and misleading in that they represented that the article was a substitute for eggs and could be used in place of eggs for cooking, whereas, in truth and in fact, it was not a substitute for, and could not be used in place of, eggs. Further misbranding was alleged in that the article was so labeled as to deceive and mislead the purchaser into the belief that the article was an egg substitute and could be used in place of eggs for cooking, whereas, in truth and in fact, it was not a substitute for, and could not be used in place of, eggs in cooking.

On March 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8108, Adulteration and misbranding of so-called California zinfandel wine. U. S. * * * v. 5 Barrels of So-Called California Zinfandel Wine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11055. I. S. No. 12961-r. S. No. E-1626.)

On August 11, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain product, labeled in part "Cal. Zinfandel Extra Under 14% Alcohol," remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about May 10, 1919, by Di Paola Bros., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a number of samples of the article by the Bureau of Chemistry of this department showed that it contained less than 1 per cent by volume of alcohol, that it contained added water, and that one sample contained an added coloring substance, probably amaranth.

Adulteration of the article was alleged in the libel in that water had been mixed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article. Further adulteration was alleged in that certain coloring matter had been added to the article for the purpose of concealing the article's inferiority, and whereby its inferiority was concealed.

Misbranding of the article was alleged in that certain statements on the label, to wit, "Cal. Zinfandel Extra Under 14% Alcohol * * * In Bond," was false and misleading in that it was intended to induce the purchaser to believe that the article was zinfandel extra wine, whereas, in truth and in fact, it was not, but was a product deficient in alcohol and containing added water. Further misbranding of the article was alleged in that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8109. Adulteration of canned salmon. U. S. * * * v. 660 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11096. S. No. C-1419.)

On or about August 21, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Sunny Point Brand Salmon," remaining unsold in the original unbroken packages at Gulfport, Miss., alleging that the article had been shipped on or about August 18, 1919, by the International Trading & Rice Corp., New Orleans, La., and transported from the State of Louisiana into the State of Mississippi, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was partially decomposed.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On January 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8110. Adulteration and misbranding of dairy feed. U. S. * * * v. Viehman Grain Co., a Corporation. Plea of guilty. Fine, \$1. (F. & D. No. 11131. I. S. Nos. 12511-r, 12512-r, 12608-r, 12609-r.)

On April 6, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Viehman Grain Co., Minneapolis, Minn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February 27, February 21, February 18, and March 30, 1918, from the State of Minnesota into the States of Vermont and Massachusetts, of a certain quantity of a certain article which was adulterated and misbranded. The article was labeled in part, "Diamond Dairy Feed."

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the ingredients were incorrectly declared, in that the feed contained rice hulls which were not declared as one of the ingredients.

Adulteration of the article in each shipment was alleged in the information in that a certain substance, to wit, rice hulls, had been mixed and packed with the article so as to lower and reduce and injuriously affect its strength and quality. Further adulteration was alleged in that a substance, to wit, rice hulls, had been substituted in part for dairy feed made from ground grain screenings, broken flax, broken wheat, seeds, rice feed, and oat feed, which the article purported to be.

Misbranding of the article was alleged in that the statement on the tag attached to the sack containing the article, regarding the article, to wit, "Made From Ground Grain Screenings, Broken Flax, Broken Wheat, Seeds, Rice Feed, Oat Feed," was false and misleading and deceived and misled the purchaser into the belief that the article was made from the ingredients above enumerated, whereas, in truth and in fact, it was not such an article, but was a mixture containing rice hulls.

On April 6, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$1.

E. D. BALL, *Acting Secretary of Agriculture.*

8111. Adulteration and misbranding of butter. U. S. * * * v. 150 Tubs, More or Less, of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11151, I. S. No. 7572-r. S. No. C-1435.)

On or about October 6, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Butter," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about May 21, 1919, by the Alfalfa Butter Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained an average of 16.22 per cent of water and 77.89 per cent of fat.

Adulteration of the article was alleged in that a substance deficient in milk fat and high in moisture had been substituted in part for the article. Further adulteration was alleged in that a substance, to wit, excessive water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that a valuable constituent of the article, to wit, butter fat, had been in part abstracted from the article.

Misbranding of the article was alleged in that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On January 31, 1920, Morris & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8112. Misbranding of Lung Vita. U. S. * * * v. 6 Bottles of Lung Vita, Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11160, I. S. No. 8433-r. S. No. C-1439.)

On September 3, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Lung Vita," remaining unsold in the original unbroken package at St. Louis, Mo., alleging that the article had been shipped on or about June 27, 1919, by the Nashville Medicine Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of kerosene, vegetable oils, sugar, glycerin, alcohol, and a small amount of plant extractives.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the bottle containing, on the carton enclosing, and in the circular accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for consumption, bronchial asthma, coughs, colds, lung trouble, whooping cough, grip, croup, and bronchial troubles, whereas, in truth and in fact, it was not effective.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8113. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. * * * v. 8 $\frac{1}{2}$ Dozen Boxes of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11165, 11166. I. S. Nos. 8440-r, 8442-r. S. Nos. C-1447, C-1448.)

On September 5, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled "Madame Dean Antiseptic Vaginal Suppositories," remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about August 19, 1919, and May 5, 1919, by the Mar in Rudy Co., Lancaster, Pa., and transported from the State of Pennsylvania into the State of Missouri, in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a bismuth salt, alum, boric acid, tannin, and a small amount of a plant drug in a cacao butter base.

Misbranding of the article in each shipment was alleged in the libel in that certain statements appearing on the carton enclosing, and in the circular accompanying the article, regarding the therapeutic or curative effect of the article, falsely and fraudulently represented the article to be effective as a remedy for the relief of vaginitis, vulvitis, gonorrhœal inflammation, leucorrhœal discharge, inflammation, congestion, and ulceration of the vagina, leucorrhœa or whites, gonorrhœa, inflammation, congestion, ulceration, and similar female complaints, whereas, in truth and in fact, it was not effective for the diseases named.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8114. Misbranding of IXL Cooking Powder. U. S. * * * v. White Cross Laboratories, a Corporation. Plea of nolo contendere. Fine, costs. (F. & D. No. 11216. I. S. No. 12850-r.)

On March 17, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the White Cross Laboratories, Chicago, Ill., alleging shipment by said defendants, on or about January 10, 1919, from the State of Illinois into the State of Rhode Island, of a quantity of an article, labeled in part "IXL Cooking Powder," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cornstarch, baking powder, and a small amount of casein, and that the packages were short weight.

Misbranding of the article was alleged in that the statements on the label on the package containing the article, regarding the article, to wit, "For Custards,

Omelets, Etc., use $\frac{1}{2}$ IXL Cooking Powder and $\frac{1}{2}$ egg" and "Use one level teaspoonful for each egg called for in this recipe," were false and misleading and deceived and misled the purchaser into the belief that the article was a substitute for eggs and for shortening in cooking, whereas, in truth and in fact, it was not. Further misbranding was alleged in that the statements above quoted represented to the purchaser that the article was an egg substitute and contained ingredients and substances of the same composition as eggs, whereas, in truth and in fact, it was not such a substitute nor was the same so composed. Further misbranding of the article was alleged in that the statement on the label on the package containing the article, regarding the article, to wit, "Net Weight 6 Oz.," was false and misleading in that it represented to the purchasers that the package contained not less than 6 ounces of the article, whereas, in truth and in fact, it contained less than 6 ounces. Further misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 22, 1920, the defendant entered a plea of *nolo contendere*, and the court imposed a fine of costs.

E. D. BALL, *Acting Secretary of Agriculture.*

§115. Misbranding of olive oil. U. S. * * * v. Antonious Deligiannis and Nick Deligiannis (Deligiannis Bros.). Plea of guilty. Fine, costs.
(F. & D. No. 11221. I. S. No. 2677-r.)

On February 6, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonious Deligiannis and Nick Deligiannis, trading as Deligiannis Bros., Chicago, Ill., alleging shipment by said defendants, on or about March 19, 1919, in violation of the Food and Drugs Act, as amended, from the State of Illinois into the State of Colorado, of a quantity of an article, labeled in part "Net Contents Two Quarts Pure Olive Oil Universal Deligiannis Bros.," which was misbranded.

Examination of a representative sample of the article by the Bureau of Chemistry of this department showed that the average quantity of the contents of 8 cans was 1.836 quarts.

Misbranding of the article was alleged in the information in that the statement on the label on the can containing the article, to wit, "Net Contents Two Quarts," was false and misleading and deceived and misled the purchaser into the belief that each can contained not less than 2 quarts of the article, whereas, in truth and in fact, each can contained less than 2 quarts. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 23, 1920, the defendants entered a plea of guilty to the information, and the court imposed a fine of costs.

E. D. BALL, *Acting Secretary of Agriculture.*

§116. Adulteration and misbranding of Perfecto Horse and Mule Feed. U. S. * * * v. Milam-Morgan Co. (Ltd.), a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 11226. I. S. No. 17635-r.)

On January 24, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Milam-Morgan Co., Ltd., New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on December 28, 1918, from the State

of Louisiana into the State of Georgia, of a quantity of an article, labeled in part "Perfecto Horse and Mule Feed," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained 6.48 per cent of protein and 15.45 per cent of fiber. The ingredients were also incorrectly declared.

Adulteration of the article was alleged in the information in that certain substances, to wit, rice hulls, cottonseed hulls, peanut hulls, velvet bean meal, and oat hulls, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further adulteration was alleged in that certain substances, to wit, rice hulls, cottonseed hulls, peanut hulls, velvet bean meal, and oat hulls, had been substituted in whole or in part for horse and mule feed made from corn, oats, alfalfa, rice bran, brewers' grains, cane molasses, and salt, which the article purported to be.

Misbranding of the article was alleged in that the statements on the tag regarding the article, to wit, "Protein 9.00% * * * Fibre 12.50%" and "Made from corn, oats, alfalfa, rice bran, brewers' grain, cane molasses and salt," were false and misleading and deceived and misled the purchaser into the belief that the article contained not less than 9 per cent of protein and not more than 12.50 per cent of fiber, whereas, in truth and in fact, the article contained less than 9 per cent of protein and more than 12.50 per cent of fiber, and the article was not made from the ingredients named on the tag, but was a mixture consisting of rice hulls, cottonseed hulls, peanut hulls, oat hulls, and velvet bean meal.

On June 9, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

S117. Misbranding of cottonseed meal or cake. U. S. * * * v. Valley Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11227. I. S. No. 11993-r.)

On January 23, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Valley Cotton Oil Co., Memphis, Tenn., alleging shipment, on or about January 22, 1919, by said defendant, in violation of the Food and Drugs Act, as amended, from the State of Tennessee into the State of Kansas, of a certain quantity of an article, labeled in part "'Chic-Okla Quality' Cotton Seed Meal or Cake," which was misbranded.

Examination of 60 sacks of the article by the Bureau of Chemistry of this department showed that the average gross weight was 96.64 pounds, and that the average net weight was 95.89 pounds.

Misbranding of the article was alleged in the information in that the statement borne on the sacks containing the article, regarding the article, to wit, "100 Lbs. Gross; 99 Lbs. Net," was false and misleading in that it represented that each of the sacks contained 99 pounds of the article, whereas, in truth and in fact, it contained less than 99 pounds of the article. Further misbranding was alleged in that the article was labeled so as to deceive and mislead the purchaser into the belief that the sacks contained 99 pounds of the article, whereas, in truth and in fact, they contained less than 99 pounds. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 6, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8118. Misbranding of Pabst's Okay Specific. U. S. * * * v. 4 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11249. I. S. No. 17059-r. S. No. E-1721.)

On October 9, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Pabst's Okay Specific, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on or about July 17, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cubebs, copaiba, unidentified plant extractives, oil of peppermint, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding the curative or therapeutic effects thereof, appearing in the circular accompanying the article, falsely and fraudulently represented it to be effective as a remedy for gonorrhœa and gleet, no matter how long standing, leucorrhœa of women, commonly called whites, bladder and kidney affections, chronic seminal and mucous discharges, chronic gonorrhœa, and as a cure for the most serious cases of gonorrhœa and the oldest cases of gleet, whereas, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8119. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25. (F. & D. No. 11982. I. S. No. 11930-r.)

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 3, 1919, from the State of New York into the State of Ohio, of a quantity of an article, labeled in part "Extra Fine Imported Olive Oil Lemnos Brand * * * Net Contents 1 Gallon," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the quantity of the contents of the cans was 3 quarts, 1 pint, and 13.2 fluid ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Gallon," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, each of said cans did not contain 1 gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

S120. Adulteration of tomato catsup. U. S. * * * v. 29 Gallon Cans of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 515-c.)

On April 3, 1920, the United States attorney for the District of Maine, acting upon a report by the Commissioner of Agriculture of Maine, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 gallon cans of Maple Brand tomato catsup, remaining unsold in the original unbroken packages at Portland, Maine, alleging that the article had been shipped on or about December 27, 1919, from Blue Island, Ill., and transported from the State of Illinois into the State of Maine, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in part of decomposed vegetable substances.

On April 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S121. Misbranding of Peacock Solution. U. S. * * * v. Lee Pfau et al. (Pfau Chemical Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9429. I. S. No. 16211-p.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lee Pfau, Mary Pfau, and Emil Kraut, trading as the Pfau Chemical Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about November 17, 1917, from the State of Illinois into the State of California, of a quantity of an article, labeled in part "Peacock Solution," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a colorless aqueous solution containing sodium sulphate and small amounts of borax, free ammonia, and ammonium sulphate.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the curative or therapeutic effects thereof, appearing on the bottle label and in the circular accompanying the article, falsely and fraudulently represented it to be effective as a remedy, treatment, and cure for eczema, for falling hair and every other form of local skin, scalp, and hair trouble, for pimples, torturing, disfiguring humors and tetter, for psoriasis, erysipelas, acne, bunions, sore, swollen, and calloused feet, burns of all kinds, sprains, aching joints, varicose veins, blood poison, local skin cancer, slow healing sores, crushed limbs, neuralgia, lumbago, and gout, whereas, in truth and in fact, it was not.

On June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8122. Misbranding of cottonseed meal. U. S. * * * v. East St. Louis Cotton Oil Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9755. I. S. No. 7176-p.)

On April 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the East St. Louis Cotton Oil Co., a corporation, East St. Louis, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 18, 1918, from the State of Illinois into the State of Maine, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Nitrogen	5.61
Protein (N x 6.25)	35.06
Crude fiber	14.78

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Crude Protein, 38½% * * * Crude Fibre not over 12%," borne on the tag attached to the sacks containing the article regarding it, was false and misleading in that it represented that said article contained not less than 38½ per cent of crude protein and not more than 12 per cent of crude fiber, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 38½ per cent of crude protein and not more than 12 per cent of crude fiber, when, in truth and in fact, it did contain less than 38½ per cent of crude protein and more than 12 per cent of crude fiber, to wit, approximately 35.06 per cent of crude protein and 14.78 per cent of crude fiber.

On December 12, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALT, *Acting Secretary of Agriculture.*

8123. Adulteration of gelatin. U. S. * * * v. Clarkson Glue Co., a Corporation. Plea of guilty. Defendant discharged upon payment of costs. (F. & D. No. 3959. I. S. No. 7797-p.)

On September 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Clarkson Glue Co., a corporation, doing business at Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 6, 1918, under the name of Wood & Lowe Mfg. Co., from the State of Illinois into the State of Georgia, of a quantity of an article, invoiced as "A' Gelatine," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solution in water: Slightly turbid.

Odor: Slight resemblance to glue.

Reaction to litmus: Neutral.

A 3 per cent solution yields a semi-jelly of about 30 per cent of standard.

Total ash (per cent)

3.19

Arsenic, as As₂O₃ (parts per million)

15.0

Adulteration of the article was alleged in the information for the reason that a substance, to wit, glue, had been mixed and packed therewith so as to

lower or reduce and injuriously affect its quality, and had been substituted in part for gelatin, which the article purported to be. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, arsenic, which might render it injurious to health.

On March 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court ordered that said defendant be discharged upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

8124. Adulteration and misbranding of Anderson's Waukesha Water. U. S. * * * v. William H. Anderson (W. H. Anderson). Plea of guilty. Fine, \$25. (F. & D. No. 9274. I. S. No. 5855-r.)

On June 5, 1920, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Anderson, trading as W. H. Anderson, Waukesha, Wis., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 26, 1918, from the State of Wisconsin into the State of Indiana, of a quantity of an article labeled in part "Anderson's Genuine Waukesha Water," which was adulterated and misbranded.

A sanitary analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter, except as otherwise given.

	Bottle—			
	1	2	3	4
Chlorid (Cl).....	5.6			
Bicarbonate (HCO ₃).....	251.0			
Free ammonia nitrogen (N).....	Trace.	None.		
Albuminoid ammonia nitrogen (N).....	.002	.045		
Nitrite nitrogen (N).....	Trace.	Trace.	None.	None.
Nitrate nitrogen (N).....	5.0	5.0		
Residue at 110° C.: Does not darken.				
Bacteriological examination showed the presence of <i>E. coli</i> in small quantities of the water.				

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding was alleged in substance for the further reason that the statement, "The Best Kidney Water on Earth!" appearing on the bottle label of the article, regarding the therapeutic or curative effects thereof, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for diseases of the kidneys, when, in truth and in fact, it was not.

On June 21, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8125. Misbranding of Knoxit. U. S. * * * v. 11½ Dozen Bottles, More or Less, of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10131. I. S. No. 6087-r. S. No. C-1182.)

On May 3, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Knoxit," at Springfield, Mo., alleging that the article had been shipped on or about March 1, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of zinc acetate and hydrastis perfumed with oil of rose.

Misbranding of the article was alleged in the libel in that certain statements appearing on the carton enclosing, on the label on the bottle containing, and in the circulars accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be a prophylactic and remedy for catarrhal affections of the eye, nose, throat, and inflammations of the mucous membranes, and beneficial in the treatment of hemorrhoids, ulcers, and cankers, and in the obstinate cases of inflammation of the bladder, whereas, in truth and in fact, it was not effective.

On November 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8126. Misbranding of Big G. U. S. * * * v. 12 Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10551. I. S. No. 7705-r. S. No. C-1284.)

On June 11, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Big G, at Kansas City, Mo., alleging that the article had been shipped on or about November 4, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled upon the cartons, in part, "Big G, A Compound of Borated Goldenseal Prepared by The Evans Chemical Co. Cincinnati, Ohio, U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Misbranding of the article was alleged in the libel in that the labels on said cartons, containers, and bottles represented that the drug was a compound of borated goldenseal, which statement was false and fraudulent in that the drug contained no goldenseal. Misbranding of the article was also alleged in that certain statements appearing on the carton enclosing, and on the label on the bottle containing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented that the article would be effective as a remedy for unnatural discharges of the urinary organs, catarrh, hay fever, and inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye, and ear, and as an antiseptic, whereas, in truth and in fact, it was not effective.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8127. Misbranding of "G Zit" Complete-Stearns' and G Zit Bougies-Stearns'. U. S. * * * v. 151 Packages, More or Less, of "G Zit" Complete-Stearns' and 18 Packages, More or Less, of G Zit Bougies-Stearns'. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10785. I. S. No. 7709-r. S. No. C-1347.)

On July 12, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of certain quantities of certain articles, labeled in part "'G Zit' Complete-Stearns'" and "G Zit Bougies-Stearns'," at Kansas City, Mo., alleging that the articles had been shipped on or about August 20, 1918, and March 4, 1919, by Stearns-Hollinshead Co., Portland, Oreg., and transported from the State of Oregon into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the bougies consisted essentially of a cacao butter base containing silver nucleinate, and that the "G Zit" Complete consisted of two preparations, the bougies and the antiseptics. The antiseptics consisted of gelatin capsules containing chiefly balsam of copaiba, cubebs, a fixed oil, and combined sulphur.

Misbranding of the articles was alleged in substance in the libel in that certain statements appearing on the cartons enclosing and in the circulars accompanying the articles, regarding the curative and therapeutic effects of the articles, falsely and fraudulently represented the articles to be effective as a remedy and preventive for gonorrhœa, stricture, and seminal vesiculitis, whereas, in truth and in fact, it was not effective.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8128. Misbranding of "G Zit" Complete-Stearns'. U. S. * * * v. 10 Packages, More or Less, of "G Zit" Complete-Stearns'. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10790. I. S. No. 7708-r. S. No. C-1333.)

On July 1, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages, more or less, of "G Zit" Complete-Stearns', at Kansas City, Mo., alleging that the article had been shipped on or about April 19, 1919, by the Stearns-Hollinshead Co., Portland, Oreg., and transported from the State of Oregon into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, bougies and antiseptics, the bougies consisting essentially of silver nucleinate in a cacao butter base and the antiseptics of capsules containing essentially balsam of copaiba, oleoresin of cubebs, a fixed oil, and combined sulphur.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhœa, and as a preventive of stricture and seminal vesiculitis, whereas, in truth and in fact, it was not effective.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8129. **Misbranding of Orion Pearls S and C Compound. U. S. * * * v. 6 Dozen Bottles of a Product Labeled in Part "Orion Pearls S and C Compound." Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10906. I. S. No. 2935-r. S. No. W-437.)

On August 2, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Orion Pearls S and C Compound," remaining unsold in the original unbroken packages at San Francisco, Calif., consigned by the American Druggists' Syndicate (Inc.), Long Island City, N. Y., alleging that the article had been shipped on March 15 and 16, 1918, from Long Island City, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially a mixture of oils and resins, including cinnamon, santal, copaiba, and probably buchu and sulphurated fixed oil.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing in the circular accompanying the article, falsely and fraudulently represented the article to be effective and useful in chronic and subacute gonorrhœa and gleet, to stimulate the mucous membranes to healthy action and stop the discharge, in inflammation and catarrh of the bladder and urinary organs, whereas, in truth and in fact, it was not effective.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8130. **Misbranding of Methyloids. U. S. * * * v. 4 Dozen Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11099. I. S. No. 17045-r. S. No. E-1672.)

On August 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Methyloids, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been shipped on or about April 26, 1919, by the France & New York Medicine Co. (Inc.), New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Methyloids * * * for the Successful Treatment

of Gonorrhea, its Complications, and All Cases where a Urinary Antiseptic is Indicated * * * Frederick Stearns & Co. Detroit, Michigan, U. S. A. Windsor, Ont. London, Eng. New York City."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially a mixture of methylene blue, oils of santal and cinnamon, a fixed oil, and combined sulphur.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the labels on said articles bore a statement regarding such articles and the ingredients and substances contained therein which was false and misleading [fraudulent], that is to say, the said label on said bottles and cartons was so arranged as to lead the public to believe that the bottles and cartons contained curative and therapeutic medicine capable of curing and preventing diseases and disorders in the urinary tract of whosoever should use it, whereas, in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8131. Misbranding of antiseptic powder. U. S. * * * v. 9½ Dozen Packages of Antiseptic Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 1159. I. S. No. 2940-r. S. No. W-480.)

On September 2, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on or about January 23, 1919, by Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland into the State of California, and charging misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of boric acid and alum with traces of volatile substances including methyl salicylate and indications of menthol.

Misbranding of the article was alleged in the libel in that certain statements appearing on the label on the package containing, on the wrappers enclosing, and in the circulars accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for catarrh and abnormal discharges such as rheumatic vaginitis, leucorrhœa, gonorrhœa, gleet, etc., and that it would preserve the health, strength, and beauty of those who used it, whereas, in truth and in fact, it was not effective.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S132. Misbranding of Depurativo D. C. U. S. * * * v. 18 Bottles of Depurativo D. C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11182. I. S. No. 17042-r. S. No. E-1701.)

On September 18, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of Depurativo D. C., remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been shipped by R. A. Delgado Carbonell, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part "Depurativo D. C. Prepared by R. A. Delgado Carbonell, New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, unidentified plant extractives, alcohol, and water.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that the package or label bore the statement, "Guaranteed by R. A. Delgado Carbonell, under the Food and Drugs Act, June 30th, 1906, No. 50570," which was false and misleading. Misbranding was alleged for the further reason that the package or label of the article failed to bear a statement of the quantity or proportion of alcohol contained therein, whereas analysis showed the product to contain 3.4 per cent by volume of alcohol. It was further alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that the following statements were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton, Spanish) "* * * * Guaranteed preparation for the treatment of the diseases of the blood and skin. Antirheumatic and Antisyphilitic of rapid and infallible results * * * Depurativo D. C. combats radically ulcers, itching eruptions, scratches, pustules, cracks, syphilitic rheumatism, herpes, tetter, chilblains, and all of the diseases of the blood and skin, * * * the purity of its components is guaranteed, Depurativo D. C. being a scientific preparation and essentially efficient, having been proven to be the best and safest purifier of the blood;" (bottle) "* * * * Guaranteed preparation for the treatment of diseases of the blood and skin, antirheumatic and antisyphilitic of rapid and infallible results. * * *;" (booklet) "Depurativo D. C. The most valuable preparation for the true cure of all diseases of the skin and blood. * * * Either cure yourself positively of every disease you have in your skin or blood, or help a friend or acquaintance to cure himself. Guaranteed for the treatment of syphilitic diseases, ulcers, herpes, bubo, rheumatism, erysipelas, debility and impoverishment of the blood. * * * Depurativo D. C. is positively infallible in treating all diseases of the skin and blood. We can do no less than feel the greatest satisfaction when thanks to Depurativo D. C. an infinite number of people today enjoy the most perfect health who used to live under the terrible suffering of syphilitic rheumatism and other troubles which made it impossible for them to attend to their work and duties. When we present our product to the consuming public we do it knowing its efficacy during more than twenty years of trials and results which are truly marvelous. We can state definitely that D. C. Depurativo is a true destroyer of syphilis whatever may be its form or state * * * and we desire that the public be convinced by its own judgment and its own experiences that D. C. Depurativo is positively infallible in the treatment of syphilis and in all diseases of the skin and blood. In cases of syphilis we recommend an uninterrupted treatment and a more prolonged one than other cases. Guaranty of purity registered in con-

formity with the laws of the U. S. Depurativo D. C. is the most powerful and efficacious blood purifier. Depurativo D. C. is recommended if only because its curative effects are so rapid that they are noticed by the patient on the third day. If you feel in your body any pains, spots, ulcers, eruptions, etc., try a single bottle of D. C. Depurativo and we guarantee that you will be cured."

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8133. Misbranding of Methyloids. U. S. * * * v. 23 Dozen Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11250. I. S. No. 17957-r. S. No. E-1722.)

On September 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 dozen bottles of Methyloids, remaining in the original unbroken packages at San Juan, P. R., alleging that said article had been offered for sale and sold at said San Juan, on or about August 25, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Methyloids * * * Frederick Stearns & Co. Detroit, Michigan, U. S. A. Windsor, Ont. London, Eng. New York City."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially a mixture of methylene blue, oils of santal and cinnamon, a fixed oil, and combined sulphur.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding the curative or therapeutic effect thereof, on the bottle labels and cartons, and in the circular accompanying the article, falsely and fraudulently represented it to be a successful treatment of gonorrhœa, and a treatment for gonorrhœa, its complications, and all cases where a urinary antiseptic is indicated, and for blennorrhœa and as a urinary antiseptic, when, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8134. Misbranding of Pabst's Okay Specific. U. S. * * * v. 12 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11280. I. S. No. 17975-r. S. No. E-1734.)

On October 14, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Pabst's Okay Specific, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on or about August 30, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cubeb, copaiba, unidentified plant extractives, oil of peppermint, sugar, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding the curative or therapeutic effects thereof, appearing in the circular accompanying the article, falsely and fraudulently represented it to be effective as a remedy for gonorrhoea and gleet, no matter how long standing, leucorrhoea of women, commonly called whites, bladder and kidney affections, chronic seminal and mucous discharges, chronic gonorrhoea, and as a cure for the most serious cases of gonorrhoea and the oldest cases of gleet, whereas, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8135. Misbranding of Bliss Native Herbs. U. S. * * * v. 12 Dozen Boxes, More or Less, 50-Cent Size, and 12 Dozen Boxes, More or Less, \$1 Size, of a Product Known as Bliss Native Herbs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11301. I. S. No. 7328-r. S. No. C-1485.)

On September 24, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bliss Native Herbs," remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about July 30, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article consisted essentially of a mixture of aloes, licorice, buchu, uva ursi, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel in that certain statements, appearing on the label on the box containing, and in the circulars accompanying the article, falsely and fraudulently represented the article to be effective as a remedy to restrain the growth of harmful bacteria in the intestines, preventing intestinal putrefaction and auto-intoxication, for intestinal indigestion, dyspepsia, sciatica, lumbago, acute and chronic rheumatic pains, dissolving the acids that accumulate in the system, inflammation of the bladder, scalding urine and brick-dust sediment, kidney and bladder trouble, jaundice, sour stomach, catarrh, to regulate the stomach and bowels and purify the blood, for grippé, influenza or epidemic catarrh, to remove impurities of the blood, for piles, malaria, chills, and fever, abscess on the liver, and asthma, whereas, in truth and in fact, it was not effective as a remedy for the diseases named.

On May 14, 1920, the Alonzo O. Bliss Medical Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8136. Misbranding of Bliss Native Herbs. U. S. * * * v. 84 Boxes, More or Less, \$1 Size, of a Product Known as Bliss Native Herbs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11302. I. S. No. 7327-r. S. No. C-1486.)

On September 24, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bliss Native Herbs," remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about August 18, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, licorice, buchu, uva ursi, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel in that certain statements, appearing on the label on the box containing, and in the circulars accompanying the article, falsely and fraudulently represented the article to be effective as a remedy to restrain the growth of harmful bacteria in the intestines, preventing intestinal putrefaction and auto-intoxication, for intestinal indigestion, dyspepsia, sciatica, lumbago, acute and chronic rheumatic pains, dissolving the acids that accumulate in the system, inflammation of the bladder, scalding urine and brick-dust sediment, kidney and bladder trouble, jaundice, sour stomach, catarrh, to regulate the stomach and bowels and purify the blood, for grippe, influenza or epidemic catarrh, to remove impurities of the blood, for piles, malaria, chills, and fever, abscess on the liver, and asthma, whereas, in truth and in fact, it was not effective as a remedy for the diseases named.

On May 14, 1920, the Alonzo O. Bliss Medical Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8137. Misbranding of Bliss Native Herbs. U. S. * * * v. 24 Dozen Boxes of Bliss Native Herbs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11310. I. S. No. 14191-r. S. No. E-1756.)

On September 25, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen boxes of an article, labeled in part "Bliss Native Herbs," remaining unsold in the original unbroken packages at Troy, N. Y., alleging that the article had been shipped on September 2, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, licorice, buchu, uva ursi, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel in that certain statements appearing on the label on the container and in the circular

and printed matter accompanying the container, regarding the curative or therapeutic effect of the article, falsely and fraudulently represented the article to be effective as a cure for indigestion, dyspepsia, auto-intoxication, sick and nervous headaches, kidney and liver derangements, loss of appetite, blood impurities, and certain other ailments and diseases, whereas, in truth and in fact, it was not effective.

In the December term of the court, 1919, John L. Thompson Sons & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant on the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8138. Misbranding of Bliss Native Herbs. U. S. * * * v. 48 Dozen Boxes of Bliss Native Herbs. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11311. I. S. No. 14190-r. S. No. E-1757.)

On September 25, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bliss Native Herbs," remaining unsold in the original unbroken package at Albany, N. Y., alleging that the article had been shipped on or about August 22, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of New York, and charging misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, licorice, buchu, uva ursi, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in substance in the libel in that certain statements on the label on the container and in the circulars of printed matter accompanying the article, regarding the therapeutic or curative effects of the article, falsely and fraudulently represented the article to be effective as a remedy for indigestion, dyspepsia, auto-intoxication, sick and nervous headaches, kidney and liver derangements, loss of appetite, blood impurities, and certain other ailments and diseases, whereas, in truth and in fact, it was not effective.

In the December term of court, 1919, the Gibson-Snow Co., claimant, having consented to an entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8139. Misbranding of Depurative D. C. U. S. * * * v. 4 Dozen Bottles of Depurative D. C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11314. I. S. No. 17025-r. S. No. E-1728.)

On October 9, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Depurative D. C., remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped by the France & New York Medicine Co., New York, N. Y., and transported from the State of New York into the Island of Porto Rico, on or about March 13, 1919,

and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Depurative D. C. Prepared by Peptomulsion Company 4 Cedar Street New York, U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, unidentified plant extractives, alcohol, and water.

It was alleged in the libel that the article was misbranded so as to mislead and deceive the purchaser or purchasers thereof in that the following statements regarding the curative or therapeutic effects were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton, Spanish) "Guaranteed preparation for the treatment of diseases of the blood and skin. Antirheumatic and Antisyphilitic of rapid and infallible results * * * Depurative D. C. combats radically ulcers, itching eruptions, scratch, postules, cracks, syphilis, rheumatism, herpes, chilblains and all of the diseases of the blood and skin. * * * The purity of its components is guaranteed Depurative D. C. being a scientific preparation and essentially efficient for treatment of blood and skin diseases. Antirheumatic and Antisyphilitic it produces quick and sure action * * * An effective remedy against ulcers, itching eruptions, buboes, fissures, herpes, tetter, chilblains and all blood and skin diseases. * * * this scientific preparation is essential and efficient in the treatment of blood and skin diseases and it is an established fact that this compound constitutes the best and surest blood purifier;" (bottle, Spanish) "Guaranteed preparation for the treatment of the blood and skin. Antirheumatic and Antisyphilitic of rapid results * * *."

On November 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8140. Misbranding of Bouchard Pills. U. S. * * * v. 3 Dozen Packages of Bouchard Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11385. I. S. No. 8708-r. S. No. C-1509.)

On October 3, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Bouchard pills, at Kansas City, Mo., alleging that the article had been shipped on or about January 16, 1918, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of iron sulphate and resins with a small amount of oil of cubebs. The injection tablets contained in the same package consisted essentially of zinc sulphate and potassium permanganate.

Misbranding of the article was alleged in substance in the libel in that certain statements in the circular, booklet, and leaflet accompanying the article regarding the curative and therapeutic effects of the article falsely and fraudulently represented that the article was effective for the prompt relief of gonorrhœa, gleet, and discharges from the genito-urinary passages, whereas, in truth and in fact, it was not effective.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SI41. Misbranding of McConnon's Stock Tonic. U. S. * * * v. 12 Packages, More or Less, of McConnon's Stock Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11473. I. S. No. 8698-r. S. No. C-1527.)

On October 13, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, of McConnon's Stock Tonic, remaining unsold in the original unbroken packages at Sidney, Nebr., alleging that the article had been shipped on June 13, 1919, by McConnon & Co., Winona, Minn., and transported from the State of Minnesota into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "McConnon's Stock Tonic Horses * * * for * * * Epizooty, Influenza * * * Hog Cholera."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of salt, powdered charcoal, cereal "shorts," American wormseed, capsicum, and bitter plant material.

Misbranding of the article was alleged in that the statements borne on the label on the package containing the article and in the booklet accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy and preventive for epizooty and influenza in horses and for hog cholera, whereas, in truth and in fact, it was not effective.

On January 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SI12. Misbranding of Bourbon Poultry Remedy. U. S. * * * v. 29 Bottles of Bourbon Poultry Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11478. I. S. No. 8800-r. S. No. C-1559.)

On October 22, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 bottles of Bourbon Poultry Remedy, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about July 16, 1919, by the Bourbon Remedy Co., Lexington, Ky., and transported from the State of Kentucky into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing aloes, sulphates of iron, copper and magnesium, small amounts of free sulphuric acid, coloring, and flavoring.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing and in the circular accompanying the article, regarding the article, falsely and fraudulently represented the article to be effective as a superior remedy for the treatment of fowls affected with white diarrhoea, gapes, roup, sore head, limberneck, canker, blood poison, and certain other existing forms of poultry diseases, whereas, in truth and in fact, it was not effective.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8143. Misbranding of Texas Wonder. U. S. * * * v. 22 Bottles of Drugs Labeled in Part "Texas Wonder." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11485. I. S. No. 8961-r. S. No. C-1563.)

On November 1, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 bottles of an article, labeled in part "Texas Wonder," remaining unsold in the original unbroken packages at Cairo, Ill., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about August 6, 1919, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in that certain statements regarding the curative and therapeutic effects of the article, appearing on the label on the bottle containing the article and in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for kidney and bladder troubles, diabetes, weak and lame backs, rheumatism and gravel, bladder troubles in children, and for stone in the kidneys, inflammation of the bladder, and tuberculosis of the kidneys, whereas, in truth and in fact, it was not effective.

On November 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8144. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 530 Cases of Canned Tomatoes Labeled "Collins Brand Tomatoes Contents 2 lb." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11509, 11510. I. S. No. 15933-r. S. No. E-1839.)

On November 5, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 530 cases of Collins Brand tomatoes, remaining unsold in the original unbroken packages at Philadelphia, Pa., consigned by W. M. Wright, Geneys Wharf, Md., alleging that the article had been shipped on or about September 26, 1919, from Geneys Wharf, Md., and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Collins Brand Tomatoes Packed by F. M. Collins, Preston, Md."

Adulteration of the article was alleged in the libel in that water and seepage from cores and trimmings had been mixed and packed with, and substituted wholly or in part for, canned tomatoes.

Misbranding of the article was alleged in that the statement on the labels of the cans containing the article, concerning the article, to wit, "Tomatoes," was false and misleading in that the statement represented that the article was to-

atoes, whereas, in truth and in fact, the article consisted of tomato juice or seepage from cores and trimmings and added water.

On November 24, 1919, F. M. Collins, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8145. Adulteration and misbranding of olive oil. U. S. * * * v. Nicholas D. Lyriotakis et al. (Lyriotakis Bros.). Pleas of guilty. Fine, \$75.
(F. & D. No. 11797. I. S. No. 13746-r.)

On May 24, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nicholas D. Lyriotakis and Michael Lyriotakis, copartners, trading as Lyriotakis Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on January 17, 1919, from the State of New York into the State of New Jersey, of a quantity of an article purporting to be olive oil, labeled in part "Olio Finissimo," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted almost entirely of cottonseed oil, and that the contents of the cans examined were short in volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Olio Finissimo" and "1 Gallon Net," together with the designs and devices of the Italian flag and a map of Sicily, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the product was olive oil, that it was an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, that it was an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil, and it was not an olive oil produced in the kingdom of Italy, but was a product produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount; for the further reason that said article was falsely branded as to the country in which it was manufactured and produced, in that it was branded as a product produced in the kingdom of Italy, whereas, in truth and in fact, it was a product produced in the United States of America; for the further reason that the statements, designs, and devices aforesaid purported said article to be a foreign product, when not so; and for the further reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 26, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

8146. Adulteration and misbranding of oil. U. S. * * * v. **Lyssandros D. Ravazula et al. (Ravazula Bros.).** Plea of guilty. Fine, \$10. (F. & D. No. 12313. I. S. No. 15089-r.)

On March 30, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lyssandros D. Ravazula and Theodore D. Ravazula, copartners, trading under the firm name and style of Ravazula Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on June 11, 1919, from the State of New York into the State of Pennsylvania, of a quantity of an article purporting to be olive oil, which was adulterated and misbranded. The article was labeled in part, "St. Bertolino Brand."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of cottonseed oil. The contents of the cans examined were short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Oil Superior Quality" and "Net contents $\frac{1}{2}$ Gal.," together with the designs and devices of an olive branch bearing olives, not corrected by the statement in inconspicuous type, in an inconspicuous place, "Cottonseed salad oil slightly flavored with pure olive oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil and that each of said cans contained $\frac{1}{2}$ gallon net of the article, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, said article was not olive oil but was a mixture composed in large part of cottonseed oil, and each of said cans did not contain $\frac{1}{2}$ gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

8147. Adulteration and misbranding of cane and maple sirup. U. S. * * * v. **79 Cans, More or Less, of Sirup.** Default decree of condemnation and forfeiture. Product ordered sold by the United States marshal. (F. & D. No. 12569. I. S. No. 5290-r. S. No. W-593.)

On April 5, 1920, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 79 cans of an article, labeled in part "Bothwell's Cane and Maple Blend Syrup," remaining unsold in the original unbroken packages at Rock River, Wyo., consigned by the Bothwell Syrup Co., Denver, Colo., alleging that the article had been shipped on or about December 19, 1919, and February 7, 1920, and transported from the State of Colorado into the State of Wyoming, and charging misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel in that certain substances, to wit, brown sugar and glucose, had been mixed and packed with the article

so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that brown sugar and glucose had been substituted wholly or in part for cane and maple sirup.

Misbranding of the article was alleged in that the statement on the label on the cans containing the article, regarding the article, to wit, "Bothwell's Cane and Maple Blend Syrup," deceived and misled the purchaser in that the statement purported the article to be cane and maple sirup, whereas, in truth and in fact, it was not cane and maple sirup, but a compound of brown sugar and glucose with maple flavor. Misbranding was further alleged in that the article was offered for sale under the distinctive name of another article and was an imitation of that article. Further misbranding was alleged in that the statements on the labels on the cans containing the article, to wit, "one gallon" and "one-half gallon," were false and misleading in that they represented that the cans contained 1 gallon and $\frac{1}{2}$ gallon of the article, whereas they contained a less amount, to wit, 93.4 per cent of 1 gallon and 91 per cent of $\frac{1}{2}$ gallon, respectively.

On June 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S148. Adulteration of tomato purée. U. S. * * * v. 75 Cases, More or Less, of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12596. I. S. No. 8145-r. S. No. C-1911.)

On or about April 22, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 cases of tomato purée, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about December 30, 1919, by the Morgan Packing Co., Austin, Ind., and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Scott Co. Brand Tomato Puree Scott County Canned Foods Gen. Scott Packed with great care and cleanliness after our improved process Minimum Weight 8 Oz. Morgan Packing Co. Austin, Ind."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained an excess of molds and bacteria and that it consisted in part of decomposed vegetable matter.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a decomposed vegetable substance.

On June 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S149. Misbranding of Hien Fong Essence. U. S. * * * v. 973 Bottles, More or Less, of Hien Fong Essence, etc. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12203, 12204, 12207. I. S. Nos. 9735-r, 9736-r, 9737-r, 9739-r. S. Nos. C-1782, C-1783, C-1784, C-1785.)

On or about February 27, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure

and condemnation of certain quantities of an article, labeled in part "Hien Fong Essence," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 27, January 30, and February 5, 1920, by the Knorr Medical Co., Detroit, Mich., and transported from the State of Michigan into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of alcohol, ether, water, volatile oils, including oils of peppermint, spearmint, and lavender, and a small amount of plant extractives.

Misbranding of the article in each shipment was alleged in the libels, in that certain statements appearing on the label on the bottle containing, and on the wrapper inclosing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for cholera morbus, indigestion, sore throat, summer complaint, neuralgia, catarrh, grippe, and tonsillitis, and a prophylactic in suspected cases of croup and diphtheria, whereas, in truth and in fact, it was not effective for the purposes named.

On April 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8150. Misbranding of Gonocol. U. S. * * * v. 4 Dozen Bottles of Gonocol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11315. I. S. No. 17024-r. S. No. E-1748.)

On October 14, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Gonocol, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., on or about December 6, 1916, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part "Gonocol The National Drug Co. Philadelphia, Penna."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of zinc sulphate, hamamelis water, a small amount of alcohol, 0.38 grain of iodine, and 0.36 grain of protein per fluid ounce.

It was alleged in the libel that the article was misbranded for the reason that the statement "Each fluid ounce represents three grains Proteo-albuminoid compound of Iodine," appearing on the bottle and carton, was false and misleading, since, in truth and in fact, the product contained less than that amount. It was alleged in substance that the article was misbranded for the further reason that it deceived and misled the purchaser or purchasers thereof, in that statements regarding the therapeutic or curative effects of the article, appearing on the carton and bottle labels of said article, falsely and fraudulently represented that it was indicated in all conditions of the urethra accompanied with a discharge, whereas, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8151-8200.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 10, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8151. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Warren Cotton Oil & Mfg. Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10870. I. S. Nos. 19425-p, 19431-p.)

On or about November 1, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warren Cotton Oil & Mfg. Co., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on February 6, 1918, and February 19, 1918, from the State of Arkansas into the State of Kansas, of quantities of an article, to wit, cottonseed meal, which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained 35.3 per cent and 36.27 per cent of protein, respectively, in each shipment.

Adulteration of the article was alleged in the information in that an inferior cottonseed cake or meal containing less than 38.62 per cent of protein had been in part substituted for cottonseed cake or meal containing 38.62 per cent of protein, which the article purported to be.

Misbranding of the article was alleged in that it was an article of food in package form, and the quantity of the contents of the package was not plainly or conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On December 22, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8152. Misbranding of Perlas Urinales-Antisepticas. U. S. * * * v. 18
Bottles of Perlas Urinales-Antisepticas. Default decree of con-
demnation, forfeiture, and destruction. (F. & D. No. 11117. I. S. No.
17046-r. S. No. E-1659.)

On August 30, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of a product, called "Perlas Urinales-Antisepticas," remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., on or about March 15, 1919, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Perlas Urinales-Antisepticas Distribuidas por Lawrence-Townley Co. Nueva York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the "pearls" consisted essentially of methylene blue, cubebs, and nutmeg.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding the curative and therapeutic effects of the same, appearing on the carton inclosing the bottles and in the circular accompanying the article, falsely and fraudulently represented it to be valuable in chronic cases of gonorrhœa and blennorrhœa, stimulating the excretion of the kidneys and assisting in making the whole urinary tract antiseptic, in all cases of stricture, effective in the treatment of all catarrhal affections of the bladder due to infection, as a remedy for acute or chronic gonorrhœa, anterior and posterior urethritis, affections of the prostate gland and all forms of cystitis; that it was a valuable preparation in certain affections of the genito-urinary system, that it was indicated in pathogenic conditions of the genito-urinary organs which result in the formation of pus, that it was of assistance in clarifying the urine and effective as a prophylactic when there was a tendency toward cystitic calculi, concretions, gravel, etc., and in the internal treatment of gonorrhœa and other inflammations of the genito-urinary passages, when, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8153. Misbranding of Perlas Urinales-Antisepticas. U. S. * * * v. 10
Dozen Bottles and 2 Dozen Bottles of Perlas Urinales-Antisepticas.
Default decrees of condemnation, forfeiture, and destruction.
(F. & D. Nos. 11268, 11269. I. S. Nos. 17026-r, 17074-r. S. Nos. E-1727,
E-1731.)

On October 1, and October 4, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 dozen bottles and 2 dozen bottles of a product, called "Perlas Urinales-Antisepticas," remaining in the original unbroken packages at San Juan, P. R., and Ponce, P. R., respectively, alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., on or about February 27, 1919, and by the Upjohn Co., New York, N. Y., on or about March 6, 1919, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Perlas Urinales-Antisepticas Distribuidas por Lawrence-Townley Co. Nueva York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed of capsules which consisted essentially of methylene blue, cubebs, and nutmeg.

It was alleged in substance in the libels that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that certain statements regarding the curative and therapeutic effects of the same, appearing on the carton inclosing the bottles and in the circular accompanying the article, falsely and fraudulently represented it to be valuable in chronic cases of gonorrhœa and blennorrhœa, stimulating the excretion of the kidneys and assisting in making the whole urinary tract antiseptic, all cases of stricture, as a treatment of all catarrhal affections of the bladder due to infection, as an efficacious remedy for acute or chronic gonorrhœa, anterior and posterior urethritis, affection of prostate gland and all forms of cystitis; that it was valuable in certain affections of the genito-urinary system, that it was indicated in pathogenic conditions of the genito-urinary organs which result in the formation of pus, that it was of assistance in clarifying the urine and acted as a prophylactic when there was a tendency toward cystitic calculi, concretions, gravel, etc.; as an internal treatment of gonorrhœa and other inflammations of the genito-urinary passages, and of gout and acute and chronic inflammation of the bladder and urethra, when, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered in each case, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8154. Misbranding of Noxit. U. S. * * * v. 100 Bottles and 7 Dozen Bottles of Noxit. Default decrees of condemnation, forfeiture, and destruction. (E. & D. Nos. 11270, 11271. L. S. Nos. 17022-r, 17064-r. S. Nos. E-1725, E-1732.)

On September 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 100 bottles and 7 dozen bottles of Noxit, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped by Frederick F. Ingram Co., Detroit, Mich., on or about September 4, 1918, and by G. J. Fajardo, New York, N. Y., on or about October 25, 1918, respectively, and transported from the States of Michigan and New York, respectively, into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Noxit Frederick F. Ingram Company, Mfg. Pharmacists, Detroit, Mich."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution containing essentially zinc acetate, opium, berberine, glycerin, alcohol, and water.

It was alleged in substance in the libels that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof for the reason that certain statements regarding the curative or therapeutic effects thereof, appearing in the circular accompanying the article, falsely and fraudulently represented it as a treatment for gonorrhœa, clap, and gleet, when, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered in each case, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S155. Misbranding of Metilol. U. S. * * * v. 6 Dozen Bottles of Metilol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11371. I. S. No. 17071-r. S. No. E-1764.)

On October 4, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Metilol, remaining in the original unbroken packages at Ponce, P. R., alleging that the article was offered for sale and sold in Ponce, P. R., on September 2, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Metilol Johnson The Logan Pharmacal Co., Philadelphia, U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of hexamethylene tetramine, nutmeg, and cubebs.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof for the reason that certain statements regarding the curative or therapeutic effects of said article, appearing on the carton, on the bottle label, and in the circular accompanying the same, falsely and fraudulently represented it to be an efficient urethral antiseptic and ideal anti-blennorrhagic specific for the rapid suppression of purulent discharges and general blennorrhagic ailments, as the safest internal treatment for all kinds of urethral discharges, that it would prevent epididymitis and consequent bad effects of blennorrhagia, as a relief from purulent fluxes in general, as a preventive of epididymitis, stricture, and ills consequent to blennorrhagia, as the ideal treatment for the rapid suppression of the urethral fluxes in general, causing the disappearance of the blennorrhagia, whether acute or chronic, as a preventive of the secondary effects of said diseases, in particular those which may originate from the secretion of the prostate gland, and as destructive of the gonococcus and as a preventive of inflammation of the parts, and of the extreme difficulty in urinating, whereas, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S156. Misbranding of Madame Dean Vaginal Suppositories. U. S. * * * v. 3 Dozen Boxes, More or Less, of Madame Dean Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11450. I. S. No. 8714-r. S. No. C-1532.)

On October 14, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain article, labeled in part "Madame Dean Vaginal Suppositories," remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about February 24, 1919, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of a bismuth salt, alum, boric acid, tannin, and a trace of powdered plant drug in a cacao butter base.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the package containing, and in the circular and booklet accompanying the article, falsely and fraudulently represented the article to be effective for the relief of vaginitis, vulvitis, gonorrhoeal inflammation, leucorrhoeal discharge, leucorrhoea or whites, gonorrhoea, inflammation, congestion and ulceration of the vagina, and similar female complaints, whereas, in truth and in fact, it was not effective.

On January 30, 1920, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8157. Adulteration and misbranding of tankage. U. S. * * * v. 15 Sacks, More or Less, of Tankage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11493. I. S. No. 8681-r. S. No. C-1549.)

On or about October 17, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Tankage," remaining unsold in the original unbroken package at Cameron, Mo., alleging that the article had been shipped on or about August 28, 1919, by the Schalker Packing Co., Leavenworth, Kans., and transported from the State of Kansas into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that a substance containing approximately only 41 per cent of protein had been substituted wholly or in part for an article containing 60.65 per cent of protein.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, to wit, "Protein 60.65%," was false and misleading and deceived and misled the purchaser.

On March 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8158. Misbranding of Oculum Oil. U. S. * * * v. 2 Dozen Bottles, More or Less, of Oculum Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12540. I. S. No. 8136-r. S. No. C-1874.)

On April 3, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Oculum Oil," remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about February 12, 1918, by the Hancock Inoculum Co., Inc., Salem, Va., and transported from the State of Virginia into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of turpentine with a small amount of oil of amber and an orange coloring.

Misbranding of the article was alleged in the libel in that certain statements on the labels on the bottles containing, on the cartons inclosing, and in the circulars and testimonials accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented that the article was a germicide that destroys disease germs in animals and was a remedy and preventive for hog cholera, whereas, in fact and in truth, it was not.

On May 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S159. Misbranding of Dr. A. B. Simpson's Vegetable Compound. U. S. * * * v. 2 Dozen Bottles, More or Less, of Dr. A. B. Simpson's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12564. I. S. No. 8142-r. S. No. C-1861.)

On March 23, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying for the seizure and condemnation of 2 dozen bottles of an article, labeled "Dr. A. B. Simpson's Vegetable Compound," remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about February 17, 1920, by Dr. A. B. Simpson Co., Richmond, Ind., and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of potassium iodid, unidentified plant extractives, and sugar, in alcohol and water.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the labels on the bottles containing, on the cartons inclosing, and in the circulars accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for all diseases depending upon a depraved condition of the blood, scrofula, scrofulous diseases of the eyes, scrofula in any form, erysipelas, old sores, boils or ulcers, pimples, blotches and any disease or eruption of the skin, rheumatism and pains in the limbs, bones, etc., scald head, salt rheum, tetter, long-standing diseases of the liver, catarrhal affections of all kinds, syphilis, or the diseases that it entails, blood poisoning, and constipation, whereas, in truth and in fact, the article was not effective.

On May 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S160. Misbranding of Pabst's Okay Specific. U. S. * * * v. 64 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10695. I. S. No. 16394-r. S. No. E-1558.)

On or about June 23, 1919, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 64 bottles of a product, labeled in part "Pabst's Okay Specific," remaining unsold in the original unbroken packages at Durham,

N. C., alleging that the article had been shipped on or about February 28, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture containing essentially the extractives from copaiba, buchu, uva ursi, emodin indicating senna, oil of peppermint, sugar, water, and 22.3 per cent by volume of alcohol.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottles containing, and on the wrapper inclosing the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhœa, gleet, urethritis, and chronic mucous discharges, whereas, in truth and in fact, it was not effective.

On December 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8161. Adulteration and misbranding of crushed barley. U. S. * * * v. Nelson Grain Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11036. I. S. No. 10863-r.)

On October 17, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Nelson Grain Co., a corporation, Kansas City, Mo., alleging shipment by said defendant, from the State of Missouri into the State of Kansas, in violation of the Food and Drugs Act, on November 7, 1918, of a quantity of an article which was adulterated and misbranded. The article was labeled in part, "Crushed Barley Manufactured by Nelson Grain Co., Kansas City, Mo."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article was a product consisting of 10.5 per cent of oats, wild oats, and weed seeds.

Adulteration of the article was alleged in the information in that certain substances, to wit, oats, wild oats, and weed seeds, had been substituted in part for barley, which the article purported to be.

Misbranding of the article was alleged in that the statement on the label on the sacks containing the article, to wit, "Crushed Barley," was false and misleading in that it represented that the article was barley, whereas, in truth and in fact, it was not barley. Further misbranding was alleged in that the above-quoted statement deceived and misled the purchaser into the belief that the article was barley, whereas, in truth and in fact, it was not barley.

On December 23, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8162. Misbranding of Montauk Santal Comp. U. S. * * * v. 7 Dozen Bottles of Montauk Santal Comp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11097. I. S. No. 17049-r. S. No. E-1670.)

On August 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of

7 dozen bottles of Montauk Santal Comp., at Ponce, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, on or about March 26, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Montauk Santal Comp. Capsules of 5 Minims of Comp. (E. I.) Sandal-wood Oil."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained an average of 3.62 minims of a mixture of oils containing approximately 37.5 per cent of sandalwood oil.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the labels on the wrappers around the bottles bore a statement to the effect that the capsules contained in the bottles contained "5 Minims of Comp. (E. I.) Sandal-wood Oil," whereas, in fact, the capsules averaged 3.62 minims of sandalwood oil. It was alleged in substance that the article was misbranded for the further reason that it was labeled so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements contained in the circular enclosed with the bottles and wrappers, regarding the curative and therapeutic effects of the article, represented that the article was effective in the treatment of gonorrhoea, usually known as clap, whereas, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S163. Misbranding of Helmitol. U. S. * * * v. 7 Dozen Bottles of Helmitol Tablets. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11098. I. S. No. 17048-r. S. No. E-1671.)

On August 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen bottles of Helmitol tablets, remaining in the original unbroken packages at Ponce, P. R., alleging that said article had been shipped by the Bayer Co., Inc., New York, N. Y., on or about June 21, 1919, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "20 Bayer-Tablets * * * Urinary Antiseptic The Bayer Company, Inc., New York, N. Y., U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted of Helmitol (anhydromethylene citrate hexamethylene tetramine) and talc.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the labels on the article bore a statement, regarding it and the ingredients and substances contained therein, which was false and misleading [fraudulent], that is to say, the label on said bottles and cartons was so arranged as to lead the public to believe that the bottles and cartons contained curative and therapeutic medicine capable of curing and preventing diseases and disorders in the urinary tract of whosoever should use it, whereas, in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 30, 1920, the Porto Rico Drug Co., San Juan, P. R., claimant, having consented to a decree, judgment of condemnation and forfeiture was

entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8164. Misbranding of Montauk Santal Comp. U. S. * * * v. 5 Dozen Bottles of Montauk Santal Comp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11100. I. S. No. 17032-r. S. No. E-1673.)

On August 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen bottles of Montauk Santal Comp., at San Juan, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, on or about March 27, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Montauk Santal Comp. Capsules of 5 Minims of Comp. (E. I.) Sandal-wood Oil."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained an average of 4.9 minims of a mixture of oils containing approximately 40% of sandalwood oil.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the labels on the wrappers around the bottles bore a statement to the effect that the capsules contained in the bottles contained "5 Minims of Comp. (E. I.) Sandal-wood Oil," whereas, in fact, the capsules contained a less amount of sandalwood oil. It was alleged in substance that the article was misbranded for the further reason that it was labeled so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements contained in the circulars enclosed with the bottles and wrappers, regarding the curative and therapeutic effects of the article, represented that the article was effective in the treatment of gonorrhœa, usually known as clap, whereas, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8165. Misbranding of Uriseptic Pills. U. S. * * * v. 23 Dozen Bottles * * * of Uriseptic Pills. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11142. I. S. No. 17034-r. S. No. E-1680.)

On September 3, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 dozen bottles of Uriseptic pills, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been invoiced on March 27, and August 24, 1918, and shipped by G. J. Fajardo, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Uriseptic Pills * * * Prepared by Davis & Lawrence Co. New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of hexamethylene tetramine, cubebs, santal oil, and kava-kava.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding its curative and therapeutic effect falsely and fraudulently represented it to be effective as a treatment for gonorrhœa, for acute or chronic inflammation of the bladder or urethra, for gout and other forms of diseases resulting from an attack of gonorrhœa, and as a cure of gonorrhœa and chronic cystitis and gonorrhœa in both sexes, whereas, in truth and in fact, it was not.

On March 5, 1920, the said Davis & Lawrence Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100; in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S166. Misbranding of Pildoras Uriseptic. U. S. * * * v. 4 Dozen Bottles of Pildoras Uriseptic. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11143. I. S. No. 17035-r. S. No. E-1679.)

On September 3, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Pildoras Uriseptic, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on or about March 27, 1918, by G. J. Fajardo, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Uriseptic Pills * * * Prepared by Davis & Lawrence Co., Manufacturing Chemists New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of methylene blue, cubebs, salol, and kava-kava.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding its curative and therapeutic effect falsely and fraudulently represented it to be effective as a treatment of gonorrhœa, chronic or acute inflammation of the bladder or urethra, and other forms of secondary diseases which generally result from blennorrhagic infection, and cystitis, and as a cure for all inflammations of the genito-urinary tract, whereas, in truth and in fact, it was not.

On March 5, 1920, the Davis & Lawrence Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

St67. Misbranding of Píldoras Urisépticas. U. S. * * * v. 12 Dozen Bottles of Píldoras Urisépticas. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11180. I. S. No. 17047-r. S. No. E-1697.)

On November 11, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Píldoras Urisépticas, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been shipped on or about April 19, 1918, by Davis & Lawrence Co., New York, N. Y., and transported from the State of New York into the Territory of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Píldoras Urisépticas * * * Prepared by Davis & Lawrence Co. Manufacturing Chemists New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of methylene blue, copaiba, salol, and unidentified plant extractives, probably kava-kava.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding its curative and therapeutic effect falsely and fraudulently represented it to be effective as a treatment of gonorrhœa, chronic or acute inflammation of the bladder or urethra, and other forms of secondary diseases which generally follow blemmorrhagic infection, inflammation of the urethra induced by gonococcus, cystitis, as a diuretic, antiseptic, and dissolvent, and as a cure for all inflammations of the genito-urinary tract, when, in truth and in fact, it was not.

On March 5, 1920, the said Davis & Lawrence Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

St68. Misbranding of Helmitol. U. S. * * * v. 38, 127, 33, and 2,342 Tubes of Helmitol. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11183, 11184, 11185, 11186. I. S. Nos. 17051-r, 17052-r, 17053-r, 17062-r, 17063-r. S. No. E-1702.)

On September 18, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 38, 127, 33, and 2,342 tubes of Helmitol, remaining in the original unbroken packages at San Juan, P. R., alleging that said article had been shipped by the Bayer Co., Inc., New York, N. Y., between March 28, 1919, and September 18, 1919, and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Bayer Tablets * * * Urinary Antiseptic."

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the tablets consisted of Helmitol (anhydromethylene citrate hexamethylene tetramine) and talc.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that the labels of the article bore a statement, regarding it and the ingredients and

substances contained therein, which was false and fraudulent, that is to say, the label on said tubes and cartons was so arranged as to lead the public to believe that the tubes and cartons contained curative and therapeutic medicine capable of curing and preventing diseases and disorders in the urinary tract of whosoever should use it, whereas, in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 30, 1920, the Bayer Co., Inc., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8169. Misbranding of Píldoras Urisépticas. U. S. * * * v. 10 Dozen Bottles and 1½ Dozen Bottles of Píldoras Urisépticas. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11273, 11274. I. S. Nos. 17027-r, 17069-r. S. Nos. E-1726, E-1733.)

On September 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 dozen bottles and 1½ dozen bottles of Píldoras Urisépticas, remaining in the original unbroken packages at San Juan, and Ponce, P. R., respectively, alleging that the 10 dozen bottles were shipped by G. J. Fajardo, New York, N. Y., on or about April 20, 1918, and transported from the State of New York into the Territory of Porto Rico, and that the 1½ dozen bottles were offered for sale and sold at Ponce, P. R., on or about September 2, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part "Uriseptic Pills * * * Prepared by Davis & Lawrence Co. Manufacturing Chemists, New York."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of methylene blue, salol, cubebs, and kava-kava.

It was alleged in substance in the libels that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements, regarding its curative and therapeutic effect, falsely and fraudulently represented it to be antiseptic, antigonorrhœal, diuretic, and resolvent, and to be effective as a treatment of gonorrhœa, chronic or acute inflammation of the bladder or urethra, and other forms of secondary diseases which generally result from blennorrhagic infection, cystitis, and as a cure for all inflammations of the genito-urinary tract, whereas, in truth and in fact, it was not.

On March 5, 1920, the said Davis & Lawrence Co., claimant, having consented to decrees, judgments of condemnation and forfeiture were entered in both cases, and it was ordered by the court that the product be released to the said claimant upon the payment of the costs of the proceedings and the execution of bonds in the sum of \$100 each, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8170. Misbranding of Bliss Native Herb Tablets. U. S. * * * v. 141 Boxes, More or Less, (\$1 Size) of Bliss Native Herb Tablets. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11334. I. S. No. 12405-r. S. No. C-1489.)

On or about September 29, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bliss Native Herb Tablets," at Cleveland, Ohio, alleging that the article had been shipped on or about August 21, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, licorice, buchu, uva ursi, a resin-bearing drug, and probably capsicum.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing in the circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for auto-intoxication, constipation, to restrain the growth of harmful bacteria in the intestines and eliminate them, for intestinal indigestion, rheumatism, sciatica, lumbago, acute and chronic rheumatic pains, enlargement of the joints, and to correct the blood, dissolving acids that accumulate in the system, whereas, in truth and in fact, it was not effective.

On November 28, 1919, the Alonzo O. Bliss Medical Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8171. Misbranding of cottonseed meal. U. S. * * * v. F. W. Brode & Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11340. I. S. No. 10992-r.)

On January 19, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. W. Brode & Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act., on or about December 1, 1918, from the State of Tennessee into the State of Kentucky, of a certain quantity of a certain article, labeled in part "Owl Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample by the Bureau of Chemistry of this department showed that the article was low in protein, ammonia, and nitrogen, and high in fiber.

Misbranding of the article was alleged in the information in that the statements on the tags attached to the sacks containing the article represented that the article contained not less than 8 per cent of ammonia, not less than 41 per cent of protein, not less than $6\frac{1}{2}$ per cent of nitrogen, and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 8 per cent of ammonia, less than 41 per cent of protein, less than $6\frac{1}{2}$ per cent of nitrogen, and more than 10 per cent of fiber. Further misbranding was alleged in that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 8 per cent of ammonia,

not less than 40 per cent of protein, not less than $6\frac{1}{2}$ per cent of nitrogen, and not more than 10 per cent of fiber, whereas, in truth and in fact, the article contained less than 8 per cent of ammonia, less than 41 per cent of protein, less than $6\frac{1}{2}$ per cent of nitrogen, and more than 10 per cent of fiber.

On June 26, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8172. Adulteration and misbranding of Eggoe. U. S. * * * v. Victor E. Soderquist and Alvin T. Soderquist (The Eggoe Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11341. I. S. Nos. 15713-p, 15714-p.)

On February 14, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Victor E. Soderquist and Alvin T. Soderquist, trading as The Eggoe Co., Marshalltown, Iowa, alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 2, 1918, from the State of Iowa into the State of South Dakota, of a certain quantity of an article of food, labeled in part "Eggoe," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the product was a mixture of cornstarch, wheat flour, and egg albumen, colored with tartrazine and orange I.

Adulteration of the article was alleged in the information in that the article was artificially colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged in that it was labeled so as to deceive and mislead the purchaser into the belief that it was an egg substitute and was composed of substances and ingredients essentially the same as those of eggs, whereas, in truth and in fact, it was not an egg substitute, nor was it composed of substances and ingredients essentially the same as those of eggs. The article was further misbranded in that the said statements were false and misleading in that they represented the article to be an egg substitute and as composed of substances and ingredients essentially the same as those of eggs, whereas, in truth and in fact, it was not an egg substitute, and was not composed of substances and ingredients essentially the same as those of eggs.

On May 6, 1920, the defendants pleaded guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8173. Adulteration of clams. U. S. * * * v. Harris B. Snow. Plea of guilty. Fine, \$25. (F. & D. No. 11344. I. S. No. 13004-r.)

On December 11, 1919, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harris B. Snow, Pine Point, Me., alleging shipment by said defendant, in violation of the Food and Drugs Act, on April 2, 1919, from the State of Maine into the State of Massachusetts, of a certain quantity of a certain article of food which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product had been soaked with water.

Adulteration of the article was alleged in the information in that water had been mixed and packed with the article so as to reduce, lower, and in-

juriously affect its quality and strength. It was further adulterated in that water had been substituted in part for clams, which the article purported to be. Further adulteration was alleged in that certain valuable constituents of the article had been in part abstracted therefrom.

On April 10, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8174. Misbranding of Bourbon Hog Cholera Remedy. U. S. * * * v. 3 Gallon Packages and 12 Quart Bottles, More or Less, of Bourbon Hog Cholera Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11375. I. S. No. 7376-r. S. No. C-1492.)

On September 29, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bourbon Hog Cholera Remedy," at New Bremen, Ohio, alleging that the article had been shipped on or about September 3, 1919, by the Bourbon Remedy Co., Lexington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an acid aqueous solution containing essentially aloes, copper sulphate, ferrous sulphate, magnesium sulphate, and free sulphuric acid, flavored with safrol and colored with a red aniline dye.

Misbranding of the articles was alleged in substance in the libel for the reason that certain statements appearing on the cartons enclosing, the folder accompanying, and on the labels of the packages containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented that the article was effective as a remedy for cholera, worms, scours, coughs, and thumps in hogs, and as a powerful internal germicide, whereas, in truth and in fact, it was not effective.

On January 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8175. Misbranding of Bourbon Hog Cholera Remedy. U. S. * * * v. 3 Gallon Packages, 3 Half-gallon Packages, and 3 Quart Bottles, More or Less, of Bourbon Hog Cholera Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11376. I. S. No. 7379-r. S. No. C-1497.)

On September 29, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bourbon Hog Cholera Remedy," at Kenton, Ohio, alleging that the article had been shipped on or about September 3, 1919, by the Bourbon Remedy Co., Lexington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an acid aqueous solution containing essentially aloes, copper sulphate, ferrous sulphate, magnesium sulphate, and free sulphuric acid, flavored with safrol and colored with aniline dye.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the cartons enclosing, the folder accompanying, and on the labels of the packages containing the article, regarding its curative or therapeutic effects, falsely and fraudulently represented that the article was effective as a remedy for cholera, worms, scours, cough, and thumps in hogs, and as a powerful internal germicide, whereas, in truth and in fact, it was not effective.

On January 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8176. Misbranding of Milks Emulsion. U. S. * * * v. 5½ Dozen Bottles, Large Size, and 8½ Dozen Bottles, Small Size, of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11400. I. S. No. 15145-r, 15146-r. S. No. E-1806.)

On or about October 11, 1919, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying for the seizure and condemnation of a certain quantity of an article, labeled in part "Milks Emulsion," remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the article had been shipped on or about July 23, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Delaware, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, with small amounts of glycerin, sugar, and methyl salicylate.

Misbranding of the article was alleged in substance in the libel in that certain statements on the label on the bottle containing, and in the booklets accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, bronchial asthma, catarrhal croup, bronchitis, coughs due to sore throat, pneumonia, and incipient consumption; to strengthen the digestive organs, enrich the blood, and increase the flesh; to give relief in curable throat, lung, stomach, and bowel troubles, clean and heal the afflicted parts and enable the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health; in the ills of children to build up their system, enrich their blood, improve the appetite, strengthen the throat, lungs, and stomach, and to relieve and prevent catarrhal croup, whereas, in truth and in fact, it was not effective.

On December 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8177. Misbranding of Uro-Lisina Johnson. U. S. * * * v. 3 Dozen Bottles of Uro-Lisina. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11412. I. S. No. 17070-r. S. No. E-1776.)

On October 14, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Uro-Lisina Johnson, remaining in the

original unbroken packages at Ponce, P. R., alleging that the article had been shipped on or about January 22, 1919, by the Logan Pharmacal Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the Territory of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of hexamethylene tetramine, phosphoric and salicylic acids, and powdered plant material.

It was alleged in substance in the libel that the article was misbranded so as to mislead and deceive the purchaser or purchasers thereof for the reason that certain statements regarding the curative or therapeutic effect of said article, appearing on the carton of the bottle, on the label, and in the circular accompanying said article, falsely and fraudulently represented it to be effective as a specific for rheumatism, the bladder, arthritis, gout, cystitis, incontinence of the urine, urethral irritation and affections of the genito-urinary tract, as the ideal diuretic treatment for all enfeebled conditions of the genito-urinary tract, as one of the quickest dissolvents of uric acid accretions, preventing decomposition of phosphates and the formation of renal calculi, as the ideal specific for the bladder, arthritis, gout, cystitis, incontinence of the urine, irritation of the urethra and general affections of the genito-urinary tract, as a specific for the kidneys, the bladder, arthritis, gout, and affections of the urinary passage in general, as useful with most brilliant results in stone, hepatic affections coexisting with jaundice, etc., as an energetic vesical antiseptic and renal antiseptic, for pyelitis, purulent bacillary inflammation of the prostate and also in the uric acid diathesis, as well as in certain forms of enuresis or prostatic irritation, when, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8178. Adulteration and misbranding of vanilla extract and vanilla flavor.
U. S. * * * v. **S25 Dozen 3-Ounce Bottles, More or Less, 12 Gallon Bottles, More or Less, 12 Quart Bottles, More or Less, and 6 Dozen Pint Bottles, More or Less, All Labeled in Part, "Pure Extract of Vanilla and Pure Flavor of Vanilla."** Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 11479. I. S. No. 8777-r. S. No. C-1550.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of an article, labeled in part "Pure Extract of Vanilla" and "Pure Flavor of Vanilla," remaining unsold in the original unbroken packages at East St. Louis, Ill., consigned by Schroeder Grocer Prod. Co., St. Louis, Mo., alleging that the article was shipped on or about September 6, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of samples of the article by the Bureau of Chemistry of this department showed that it consisted of dilute extract of vanilla.

Adulteration of the article was alleged in the libel in that a substance, to wit, dilute extract of vanilla, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding of the article was alleged in that the article was labeled and branded so as to be false and misleading and to deceive and mislead the purchaser. Further misbranding was alleged in that the article was an imitation of, and offered for sale under the distinctive names of, "Vanilla Extract" and "Vanilla Flavor."

On November 24, 1919, C. H. Osier, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8179. Adulteration and misbranding of vanilla and vanillin. U. S. * * * v. 23½ Gross of 3-Ounce Bottles, More or Less, Labeled in Part, "Pure Vanilla and Vanillin." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11480. I. S. No. 8450-r. S. No. C-1551.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of an article, labeled in part "Pure Vanilla and Vanillin," remaining unsold in the original unbroken packages at East St. Louis, Ill., consigned by Schroeder Grocer Prod. Co., St. Louis, Mo., alleging that the article had been shipped on or about September 6, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained little, if any, vanilla extract, and that it was composed essentially of a dilute alcoholic solution of vanillin and coumarin, colored with caramel.

Adulteration of the article was alleged in that the product was an imitation of vanilla extract, containing vanillin and coumarin and very little, if any, vanilla extract. Further adulteration was alleged in that a solution of vanillin and coumarin had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration was alleged in that the article had been colored with caramel in a manner whereby inferiority was concealed.

Misbranding of the article was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Pure Vanilla and Vanillin."

On November 24, 1919, C. H. Ozier, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8180. Adulteration and misbranding of orange flavor. U. S. * * * v. 7 Dozen 3-Ounce Bottles, More or Less, Labeled in Part, "Pure Orange." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11481. I. S. No. 8792-r. S. No. C-1552.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and

condemnation of a certain quantity of an article, labeled in part "Pure Orange," remaining unsold in the original unbroken packages at East St. Louis, Ill., consigned by Schroeder Grocer Prod. Co., St. Louis, Mo., alleging shipment on or about September 6, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a sirupy mixture containing a small amount of oil of orange.

Adulteration of the article was alleged in that a substance containing an insufficient quantity of orange oil had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding of the article was alleged in that the statements on the labels of the bottles containing the article, regarding the article, were false and misleading in that they implied a pure full-strength article, whereas the article was very deficient in oil of orange. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Pure Orange."

On November 24, 1919, C. H. Ozier, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8181. Adulteration and misbranding of almond extract. U. S. * * * v. 7 Dozen 3-ounce Bottles, More or Less, Labeled in Part, "Pure Almond." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11482. I. S. No. 8790-r. S. No. C-1553.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of a certain article, labeled in part "Pure Almond," remaining unsold in the original unbroken packages at East St. Louis, Ill., consigned by Schroeder Grocer Prod. Co., St. Louis, Mo., alleging that the article had been shipped on September 6, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a dilute almond flavor containing 0.08 per cent of benzaldehyde.

Adulteration of the article was alleged in that a dilute solution of benzaldehyde had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding of the article was alleged in that the statement on the label of the bottles containing the article, regarding the article, was false and misleading in that it implied an almond extract, when, in fact, the article contained a very small amount of benzaldehyde. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit "Pure Almond."

On November 24, 1919, C. H. Ozier, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant on payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8182. Adulteration and misbranding of peppermint extract. U. S. * * * v. 7 Dozen $\frac{3}{4}$ -Ounce Bottles, More or Less, Labeled in Part, "Pure Peppermint." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11483. I. S. No. 8789-r. S. No. C-1554.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of a certain article, labeled in part "Pure Peppermint," remaining unsold in the original unbroken package at East St. Louis, Ill., consigned by Schroeder Grocer Prod. Co., St. Louis, Mo., alleging that the article had been shipped on or about September 6, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained menthol and little or no oil of peppermint.

Adulteration of the article was alleged in that a substance containing no oil of peppermint had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted wholly for the article.

Misbranding of the article was alleged in the libel in that the statement on the label on the bottle containing the article, regarding the article, implied that the product was an extract of peppermint, when, in fact, it contained no peppermint. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Pure Peppermint."

On November 24, 1919, C. H. Ozier, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8183. Adulteration and misbranding of flavor of lemon and extract of lemon. U. S. * * * v. 40 $\frac{1}{2}$ Gross $\frac{3}{4}$ -Ounce Bottles, More or Less, Labeled in Part, "Flavor of Lemon," and 5 Gross $\frac{3}{4}$ -Ounce Bottles, More or Less, Labeled in Part, "Extract of Lemon." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11484. I. S. Nos. 8449-r, 8778-r, 8782-r. S. No. C-1555.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of certain quantities of articles, labeled in part "Flavor of Lemon" and "Extract of Lemon," remaining unsold in the original unbroken packages at East St. Louis, Ill., consigned by Schroeder Grocer Prod. Co., St. Louis, Mo., alleging that the articles had been shipped on September 6, 1916, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained no lemon oil, and that they consisted of dilute terpeneless lemon extracts.

Adulteration of each article was alleged in that a dilute terpeneless extract of lemon had been substituted wholly for the article.

Misbranding of the articles was alleged in that the statements on the labels on the bottles containing the articles, regarding the articles, were false and misleading in that they implied that the articles were pure flavor of lemon and pure extract of lemon, so as to deceive and mislead the purchaser, when, in fact, the said articles were imitations of, and offered for sale under the distinctive names of, other articles, to wit, "Flavor of Lemon" and "Extract of Lemon."

On November 24, 1919, C. H. Ozier, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8184. Adulteration of prunes. U. S. * * * v. 85 Boxes, More or Less, of Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11516. I. S. No. 8310-r. S. No. C-1596.)

On November 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of prunes, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on November 8, 1919, by the Badger State Creamery Co., Milwaukee, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was worm eaten, and that it contained worm excreta, dead worms, webs, and dead mites.

Adulteration of the article was alleged in the libel in that the article consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8185. Adulteration of pink beans. U. S. * * * v. 40,500 Pounds, More or Less, of Pink Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11533. I. S. No. 11655-r. S. No. C-1608.)

On December 12, 1919, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of pink beans, remaining unsold in the original unbroken packages at Brownsville, Tex., alleging that the article had been shipped on or about September 5, 1919, by the California Packing Corp., San Francisco, Calif., and transported from the State of California into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in part of filthy, decomposed, and putrid vegetable substances, namely, decomposed beans.

On February 17, 1920, Ullman, Stern & Krausse, claimants, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimants upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8186. Adulteration of B. & M. fish flakes. U. S. * * * v. 247 Cases of Fish Flakes, Labeled in Part, "B. & M. Fish Flakes." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11534. I. S. No. 2922-r. S. No. W-545.)

On November 28, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of B. & M. fish flakes, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on or about July 19, 1918, by Burnham & Morrill Co., Portland, Maine, and transported from the State of Maine into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Examination of representative samples of the article by the Bureau of Chemistry of this department showed that the contents of approximately 18 per cent of the cans were badly decomposed, and that most of the cans showed evidence of decomposition.

Adulteration of the article was alleged in the libel in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On December 10, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8187. Adulteration of fish. U. S. * * * v. 60 Boxes and 46 Barrels of Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11558. I. S. No. 13452-r. S. No. E-1901.)

On December 12, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of fish, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on or about November 28, 1919, by the Bay State Fishing Co., Flint, Mich., and transported from the State of Michigan into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On December 15, 1919, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S188. Misbranding of Benetol. U. S. * * * v. 229 Bottles of a Drug Product Known as Benetol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11584. I. S. No. 8733-r. S. No. C-1589.)

On or about November 18, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Benetol," remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about August 11, 1919, by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Missouri, and charging misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a viscous emulsion of soap, alpha-naphthol, glycerin, and traces of volatile oil.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the bottles, containers, cartons, and wrappers enclosing the article, falsely and fraudulently represented the article to be a remedy for germ diseases, gonorrhœa, gleet, and stricture, whereas, in truth and in fact, it was not effective.

On November 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S189. Adulteration of shell eggs. U. S. * * * v. Henry Leroy Pope. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 11695. I. S. No. 9434-r.)

On December 11, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry Leroy Pope, Jackson, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 30, 1919, from the State of Tennessee into the State of Missouri, of a quantity of an article of food, to wit, 3 cases of shell eggs, which was adulterated.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 26, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S190. Adulteration and misbranding of saccharin. U. S. * * * v. 4 Cans of So-Called Saccharin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10271. I. S. No. 6395-r. S. No. C-1210.)

On May 15, 1919, the United States attorney for the Eastern District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cans of so-called saccharin, remaining unsold in the original unbroken packages at Pittsburg, Kans., alleging that the article had been shipped on or about October 8, 1918, by the Sethness Co., Chicago, Ill., and transported from the State of Illinois into the State of Kansas, and charging adulteration and misbranding under the Food and Drugs Act. The article was

labeled in part, "Cosco, Guaranteed under the Food & Drugs Act June 30, 1906. Sethness Co., Chicago, U. S. A. Directions Dissolve one pound saccharine in sufficient water to make one gallon."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a mixture containing approximately 77.33 per cent of soluble saccharin, 5.49 per cent of insoluble saccharin, and 15.54 per cent of sodium bicarbonate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by a test therein laid down, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the labeling borne by said can was false and misleading and calculated to lead the purchaser to believe that said product was pure saccharin, whereas, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 22, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S191. Misbranding of "3 Days" Cure. U. S. * * * v. 40 Bottles and 50 Bottles of "3 Days" Cure. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10343, 10344. I. S. Nos. 15739-r, 15744-r. S. Nos. E-1413, E-1414.)

On May 20, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of a quantity of "3 Days" Cure, remaining unsold in the original unbroken packages at Richmond, Va., alleging that the article had been shipped on or about October 25, and May 25, 1918, by the "3 Days" Cure Co., Washington, D. C., and transported from the District of Columbia into the State of Virginia, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted of two preparations, a liquid and capsules. The liquid was composed essentially of zinc sulphate and boric acid, and the capsules contained powdered cubeb and balsam of copaiba.

Misbranding of the article was alleged in the libel in substance for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa and gleet, whereas, in truth and fact, it was not.

On October 15, 1919, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S192. Misbranding of Pabst's Okay Specific. U. S. * * * v. 35 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10350. I. S. No. 15733-r. S. No. E-1417.)

On May 21, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and con-

demnation of 35 bottles of Pabst's Okay Specific, remaining unsold in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped on or about April 15, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of Virginia, and charging misbranding under the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of oils and plant extractives, including copaiba, cubebs, and buchu, sugar, water, and alcohol.

Misbranding of the article was alleged in the libel in substance for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circular accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa, gleet, urethritis, and chronic mucous discharges, whereas, in truth and in fact, it was not.

On December 18, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

8193. Adulteration and misbranding of tomato catsup. U. S. * * * v. 300 Cases of 8-Ounce Bottles and 300 Cases of 16-Ounce Bottles of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10380, I. S. Nos. 5540-r, 5541-r, S. No. C-1247.)

On June 4, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a quantity of tomato catsup, remaining unsold in the original unbroken packages at Superior, Wis., alleging that the article had been shipped on or about January 20, 1919, by H. N. Weller & Co., Almont, Mich., and transported from the State of Michigan into the State of Wisconsin, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Belle Meade Brand Tomato Catsup * * * Net weight 8 oz. av. Made by H. N. Weller & Co. Almont, Mich. Only First Class Goods Are Prepared Under This Brand" and "Perfection Brand Tomato Catsup * * * Packed by H. N. Weller & Co., Toledo, O. 16 Oz. Only First Class Goods Are Prepared Under This Brand" (2 red tomato clusters).

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it was partially decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted largely of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged for the reason that the labeling on the bottles was false and misleading and calculated to deceive and mislead the purchaser thereof, in that the article consisted largely of a filthy, decomposed, and putrid vegetable substance. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article.

On October 16, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

8194. Misbranding of Self-Help E & I Treatment. U. S. * * * v. 24 Dozen Packages, More or Less, of a Drug Known as Self-Help E & I Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10865. I. S. No. 7199-F. S. No. C-1375.)

On July 17, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain article, labeled in part "Self-Help E & I Treatment," remaining unsold in the original unbroken packages at New Albany, Ind., alleging that the article had been shipped on or about March 18, 1918, by Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the preparation for external use consisted essentially of an aqueous solution of zinc chlorid, glycerin, and a red coloring matter, and that the contents of the tablets for internal use consisted essentially of cubeb and copaiba balsam, with small amounts of santal oil, alum, and magnesium oxid.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the carton enclosing and in the circular accompanying the article, falsely and fraudulently represented the article to be effective for the treatment, for the relief and prevention of gonorrhœa (clap), blennorrhœa (gleet), leucorrhœa (whites), and allied forms of acute and inflammatory mucous discharges from the urethra (urine canal) * * *, whereas, in truth and in fact, it was not effective.

On January 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8195. Misbranding of Valesco. U. S. * * * v. 68 Bottles, More or Less, of Valesco. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11539, 11540. I. S. Nos. 8189-r, 8190-r. S. Nos. C-1610, 1611.)

On December 2, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of certain quantities of an article, labeled in part, "Valesco," remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about September 23, and October 7, 1919, by the Alhosan Co., St. Louis, Mo., and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of sodium hypophosphite, creosote, and sugar.

Misbranding of the article was alleged in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label of the bottle containing the article, represented the article to be effective as a remedy for the treatment of tuberculosis, asthma, pneumonia, and pulmonary affections, whereas, in truth and in fact, it was not effective.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

8196. Adulteration of canned salmon. U. S. * * * v. 20 Cases, More or Less, of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11544. I. S. No. 8302-r. S. No. C-1613.)

On December 2, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of canned salmon, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on July 15, 1919, and transported from the State of Virginia into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The shipment consisted of 2 lots labeled, in part, as follows: "Chicken Brand Fancy Red Salmon Distributed by John A. Tolman & Co., Chicago," and "Red Feather Brand Alaska Red Salmon Packed for Deming & Gould Co., Chicago."

Adulteration of the article was alleged in the libel in that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8197. Adulteration and misbranding of tomatoes. U. S. * * * v. 150 Cases, More or Less, of Blue Dot Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11548. I. S. No. 15340-r. S. No. E-1864.)

On December 8, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the district aforesaid a libel praying the seizure of a certain quantity of Blue Dot Brand tomatoes, remaining unsold in the original unbroken packages at Washington, D. C., alleging that the article had been shipped on or about September 4, 1919, by Winfield Webster & Co., Vienna, Md., and transported from the State of Maryland into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled in part, "Blue Dot Brand Tomatoes * * * These tomatoes were packed in a sanitary factory * * * Packed by Winfield Webster & Co. Main Office Vienna, Md."

Adulteration of the article was alleged in the libel in that a certain substance, to wit, tomato pulp, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that a certain substance, to wit, tomato pulp, had been substituted wholly and in part for the article. Further adulteration was alleged in that the article consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged in that the statements and designs on the label of the cans enclosing the article, to wit, "Blue Dot Brand Tomatoes" and "These tomatoes were packed in a sanitary factory," with a design showing a representation of a whole ripe tomato, were false and misleading in that the article was deficient in tomato solids, consisting wholly and in part of tomato pulp. Further misbranding was alleged in that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, canned tomatoes. Further misbranding was alleged in that the article was labeled and branded so as to deceive and mislead the purchaser.

On March 10, 1920, Winfield Webster & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and the product was ordered released to the claimant upon payment of the costs of the proceedings and filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

§198. Adulteration and misbranding of oil of wintergreen and oil of sweet birch. U. S. * * * v. 1 60-Pound Can of Oil of Wintergreen and 2 60-Pound Cans of Oil of Sweet Birch. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 11656, 11657. I. S. Nos. 537-r, 538-r. S. Nos. E-1885, E-1886.)

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a quantity of alleged oil of wintergreen and of alleged oil of sweet birch, alleging that the articles were shipped on or about November 29, 1919, by T. J. Ray, Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained material quantities of synthetic methyl salicylate.

Adulteration of the articles was alleged in the libel in that the articles were sold under names recognized in the United States Pharmacopeia, and differed from the pharmacopoeial standards of strength, quality, and purity therein laid down, and fell below the professed standard and quality under which they were sold. Further adulteration was alleged in that synthetic methyl salicylate had been mixed and packed therein so as to reduce, lower, and injuriously affect their quality and strength, and synthetic methyl salicylate had been substituted wholly or in part for the articles.

Misbranding of the articles was alleged in the libel in that they were imitations of, and were offered for sale under the names of, other articles. Further misbranding was alleged in that they were imitations of, and offered for sale under the distinctive names of, other articles, and in that the labels affixed to the cans containing the articles were false and misleading and deceived and misled the purchaser.

On May 1, 1920, Thomas J. Ray, having appeared as claimant, but having failed to defend, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the products be sold by the United States marshal as imitation of oil of wintergreen and as imitation of oil of sweet birch, in conformity with section 10 of the act, and that the costs of the proceedings be taxed against Thomas J. Ray.

E. D. BALL, *Acting Secretary of Agriculture.*

§199. Adulteration of condensed chili. U. S. * * * v. 35 Cases of Condensed Chili. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12924. I. S. No. 9711-r. S. No. C-1989.)

On June 15, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain article, labeled in part "Condensed Chili," remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about January 12, 1920, from Dallas, Tex., by the Tenison Co., and transported from the State of Texas into

the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Condensed Chili, J. Delgado Mfg. Co., Dallas, Texas."

Examination of samples of the article by the Bureau of Chemistry of this department showed that it was fermenting and in varying stages of active decomposition.

Adulteration of the article was alleged in the libel in that the product consisted in whole or in part of a filthy, decomposed, and putrid vegetable and animal substance.

On July 13, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S200. Adulteration of eggs. U. S. * * * v. Christian D. Thompson. Plea of guilty. Fine, \$25. (F. & D. No. 11994. I. S. No. 8611-r.)

On March 17, 1920, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Christian D. Thompson, Veblen, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about September 12, 1919, from the State of South Dakota into the State of Minnesota, of a quantity of eggs which were adulterated.

Examination of a sample consisting of 5 one-half cases of 180 eggs each of the article by the Bureau of Chemistry of this department showed that 97, or 10.8 per cent of the eggs were inedible.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

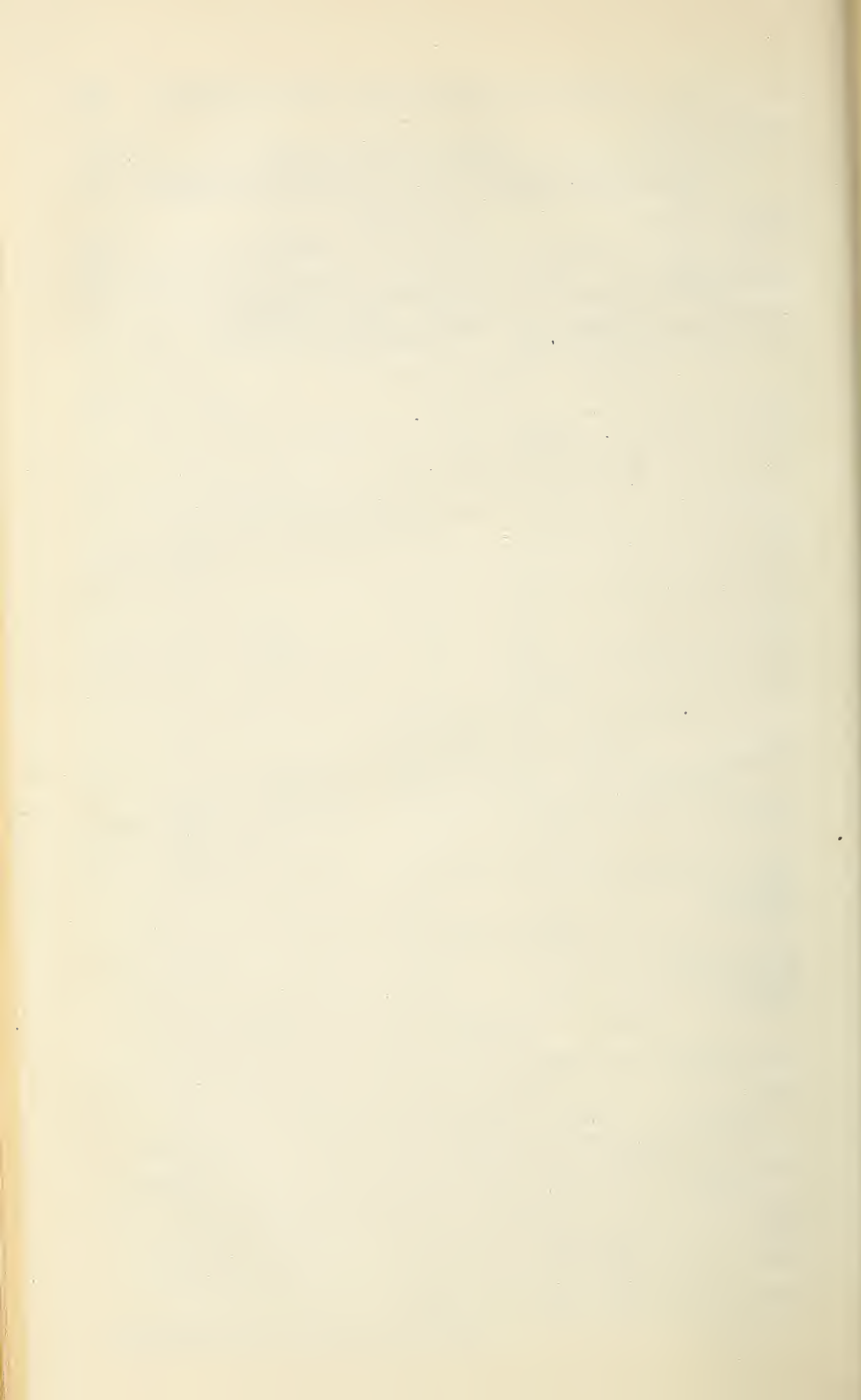
On April 19, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

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Almond extract. <i>See</i> Extract.	N. J. No.	Flavor. <i>See</i> Extract.	N. J. No.
B. & M. fish flakes:		Helmitol tablets:	
Burnham & Morrill Co.-----	8186	Bayer Co.-----	8163, 8168
Barley, crushed. <i>See</i> Feed.		Herb tablets. <i>See</i> Tablets.	
Beans, pink:		Hog cholera remedy:	
California Packing Corp.--	8185	Bourbon Remedy Co.--	8174, 8175
Benetol:		Lemon flavor. <i>See</i> Extract.	
Benetol Co.-----	8188	extract. <i>See</i> Extract.	
Birch oil. <i>See</i> Oil.		Metilol:	
Bliss native herb tablets:		Logan Pharmacal Co.-----	8155
Bliss, Alonzo O., Medical		Milks Emulsion:	
Co.-----	8170	Milks Emulsion Co.-----	8176
Bourbon hog cholera remedy:		Montauk santal comp.:	
Bourbon Remedy Co.--	8174, 8175	Fajardo, G. J.--	8162, 8164
Capsules, Montauk santal comp.:		Noxal:	
Fajardo, G. J.-----	8162, 8164	Fajardo, G. J.-----	8154
Catsup, tomato. <i>See</i> Tomato catsup.		Ingram, Frederick F., Co.--	8154
Chili, condensed:		Oculum oil:	
Tenison Co.-----	8199	Hancock Inoculatum Co.--	8158
Clams:		Oil, birch:	
Snow, Harris B.-----	8173	Ray, T. J.-----	8198
Condensed chili. <i>See</i> Chili.		Ocolum:	
Cottonseed meal. <i>See</i> Feed.		Hancock Inoculatum Co.--	8158
Dean, Madame, vaginal suppositories:		wintergreen:	
Rudy, Martin-----	8156	Ray, T. J.-----	8198
Eggoe:		Orange flavor. <i>See</i> Extract.	
Eggoe Co.-----	8172	Pabst's Okay Specific:	
Eggs:		Pabst Chemical Co.--	8160, 8192
Pope, Henry Leroy-----	8189	Peppermint extract. <i>See</i> Extract.	
Thompson, Christian D.--	8200	Perlas Urinales-Antiseptics:	
Emulsion, Milks:		Fajardo, G. J.-----	8152, 8153
Milks Emulsion Co.-----	8176	Upjohn Co.-----	8153
Extract, almond:		Plidoras Uriseptic:	
Schroeder Grocer Prod. Co.--	8181	Davis & Lawrence Co.-----	8166, 8167, 8169
lemon:		Fajardo, G. J.-----	8166, 8169
Schroeder Grocer Prod. Co.--	8183	Pills, Uriseptic:	
orange:		Davis & Lawrence Co.-----	8165, 8166, 8167, 8169
Schroeder Grocer Prod. Co.--	8180	Fajardo, G. J.-----	8165, 8166, 8169
peppermint:		Pink beans. <i>See</i> Beans.	
Schroeder Grocer Prod. Co.--	8182	Prunes:	
vanilla:		Badger State Creamery Co.--	8184
Schroeder Grocer Prod. Co.--	8178	Saccharin:	
vanilla and vanillin:		Sethness Co.-----	8190
Schroeder Grocer Prod. Co.--	8179	Salmon. <i>See</i> Fish.	
Feed, cottonseed meal:		Santal comp. capsules. <i>See</i> Capsules.	
Brode, F. W., & Co.-----	8171	Self-Help E & I Treatment:	
Warren Cotton Oil & Mfg.		Wampole, Henry S., Co.--	8194
Co.-----	8153	Simpson's, Dr. A. B., vegetable	
crushed barley:		compound:	
Nelson Grain Co.-----	8161	Simpson, Dr. A. B., Co.-----	8159
tankage:		Specific, Pabst's Okay:	
Schalker Packing Co.-----	8157	Pabst Chemical Co.-----	8160
Fish:		Suppositories, vaginal:	
Bay State Fishing Co.-----	8187	Rudy, Martin-----	8156
flakes:			
Burnham & Morrill Co.-----	8186		
salmon:			
-----	8196		

Tablets, Helmitol:	N. J. No.	Uriseptic pills. <i>See</i> Pills.	N. J. No.
Bayer Co-----	8163, 8168	Uro-Lisina Johnson:	
herb:		Logan Pharmacal Co-----	8177
Bliss, Alonzo O., Medical		Vaginal suppositories. <i>See</i> Supposi-	
Co-----	8170	tories.	
Tankage. <i>See</i> Feed.		Vegetable compound:	
"3 Days" cure:		Simpson, Dr. A. B., Co-----	8159
"3 Days" Cure Co-----	8191	Valesco:	
Tomato catsup:		Alhosan Co-----	8195
Weller, H. N., & Co-----	8193	Vanilla extract. <i>See</i> Extract.	
Tomatoes:		flavor. <i>See</i> Extract.	
Webster, Winfield, & Co---	8197	Wintergreen oil. <i>See</i> Oil.	



United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8201-8250.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 19, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

S201. Adulteration of shell eggs. U. S. * * * v. Leander A. Goodwin et al. (Goodwin & Jean). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8878. I. S. No. 8503-p.)

On May 23, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Leander A. Goodwin and Robert F. Jean, trading as Goodwin & Jean, Batesville, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 26, 1917, from the State of Arkansas into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article consisting of 1 case of 30 dozen eggs by the Bureau of Chemistry of this department showed that 180 eggs, or 50 per cent, were inedible.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 12, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S202. Misbranding of pears. U. S. * * * v. Albert Ellis and William J. Ellis (Wm. J. Ellis & Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 10782. I. S. No. 5810-r.)

On March 6, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert Ellis and William J. Ellis, copartners, trading as Wm. J. Ellis & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about August 28, 1918, from the State of Michigan into the State of Illinois, of a quantity of pears which were misbranded, and that

said defendants, having received said pears in the original packages, offered the same for delivery to the general public at Chicago, Ill., on the same date, in further violation of said act. The pears were in unlabeled baskets.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S203. Misbranding of Beecham's Pills. U. S. * * * v. 3 Gross Packages * * * of Beecham's Patent Pills. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10908. I. S. No. 7719-r. S. No. C-1396.)

On or about August 4, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 gross packages, more or less, of Beecham's Patent Pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about June 20, 1919, by the B. F. Allen Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Beecham's Patent Pills * * * Sold by the Proprietor, St. Helens, Lancashire, England."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes and ginger, and were coated with talc.

Misbranding of the article was alleged in the libel for the reason that the label affixed to the packages thereof as aforesaid, bearing the statement aforesaid, regarding said drug product, was false and misleading and was designed and intended to represent that the article was manufactured or produced in England, whereas, in truth and in fact, it was not manufactured or produced in England, but was manufactured or produced in the United States of America; and for the further reason that the false and misleading label aforesaid bearing the false and misleading statement aforesaid was designed and intended to mislead and deceive and constituted a misbranding of the packages of the drug product as aforesaid. It was alleged in substance in the libel that the article was misbranded for the further reason that the following statements in the circular enclosing and affixed to each of the packages of the article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the drug product did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it in said statements: (Circular with the 25-cent-size retail package, statement of Thomas Beecham) " * * * Accumulated experience, all the world over, has declared them to be the most reliable Family Medicine procurable; and whenever tried, they have been permanently adopted as the specific to be depended on for defeating those evils which usually assail health in our daily lives, and, if taken in time, they will ward off many a serious illness. * * *;" (page 1) " * * * The Blood. * * * but we may all, by the aid of Beecham's Pills keep important organs of the body in working order, and by due attention to simple hygiene maintain ourselves in the highest degree of health permitted by our circumstances in life. * * * In the first place, it is desirable that those who take the Pills should abstain

from, or use only in the strictest moderation, all alcoholic drinks, and let the food be of a plain and wholesome character; but should anyone be suffering from over-indulgence, be he ever so ill, or his head ever so bad, let him take a dose of Beecham's Pills, and he will be all right in the morning. * * *

Persons of a strong or average constitution, but who may temporarily be suffering from any of the complaints herein mentioned, will usually find the dose to suit them to be three or four pills once a day; * * *

Others, who may be frequently subject to one or more of the specified ailments, should take smaller doses of the pills occasionally, * * *

This rule, however, may be borne in mind, that on the first sign of anything wrong, at least two pills should be taken immediately, no matter when. * * *

Disturbing dreams and restless nights are very often occasioned by intestinal disorder. In sleeplessness, arising from such causes, Beecham's Pills are peculiarly efficacious, and seldom fail to induce the longed for repose. * * *

Sick Headaches, Want of Appetite, Fulness after Meals, Nausea, Wind, Pain and Sickness of the Stomach. * * *

To remove these complaints we must remove the cause. The principal cause is generally to be found in the stomach, liver and kidneys; put these organs right and all will be well. For those troubled with the above complaints a dose of Beecham's Pills will in most cases give early relief. * * *

What is commonly known as 'the wind' frequently gives rise to some of the unpleasant symptoms here alluded to; or they may result from breathing vitiated atmosphere or inhaling noxious vapors and emanations; or unwholesome food may produce almost poisonous effects. In any such case, it is the blood which has become contaminated; * * *

The action of Beecham's Pills is prompt and certain. A person troubled with any of the disorders enumerated above, when due to digestive disorders or improper food, should take the Pills * * *

for a short time, when the evil will be removed, the system reinvigorated and the sufferer restored to sound and lasting health. * * *

Dyspepsia * * *

The symptoms of Dyspepsia are exceedingly distressing, including Heartburn, Waterbrash, Eructations, Hicough, Nausea and Vomiting. The tongue is coated, the breath offensive, and the complexion grows 'pasty.' In neglected cases, the failure of the appetite becomes serious and the tissues waste through imperfect nutrition. There is much weakness, depression and irritability. It gives rise to general debility and anaemia, and when it has existed for a considerable time, probably no disease is so troublesome to cure. But let the sufferer take comfort. Special attention should be given to diet and those things avoided which are found to cause trouble, while Beecham's Pills may be relied upon as a great assistance to sufferers;" (page 2) " * * *

Nervous Debility * * *

There is, however, a common form of nervous debility in which they are of great service. It is that kind which has its origin in derangement of the digestive organs. Here the tone of the nervous system is lowered, because in common with the other tissues, it is affected by malnutrition. If Beecham's Pills are taken and the functions of digestion are restored to healthy activity, the nervous system will recover its tone in a natural manner, as the result of improved nutrition; and in the absence of any marked nervous disorder, nature, thus assisted, may be relied on to effect a cure. * * *

Many skin disorders arise, directly or indirectly, from an insanitary state of the epidermis, or as the consequence of specific diseases, and in such cases only special treatment will avail; but by far the greater number of muddy, pimply, spotty and blotchy complexions we see around us are due to a sluggish state of the liver, to faulty digestion, and to constipated bowels. Rashes are not at all infrequently caused by errors of diet. In all such cases a regular course of Beecham's Pills will be found to have remarkably good results. Better for the com-

plexion than all the expedients of cosmetics, powders, creams and washes is pure blood, and in all normal conditions the blood can be kept pure by maintaining a clean and healthy state of the organs of digestion and excretion. Hence it is, that Beecham's Pills are of such service in removing and preventing unsightly eruptions and bringing the skin to a fresh and desirable condition. Ladies, and indeed all who value the outward charm of a clear complexion as the consequence of internal health, will find nothing better than Beecham's Pills for insuring freedom from those surface blemishes which, too often, mar the most attractive appearance. The Kidneys. These important organs, whose office it is to form the urine and thereby separate waste products from the blood, should never be allowed to fall into a diseased condition. They may be clogged or sluggish without being diseased, but they cannot be allowed to remain so for any lengthened period without serious risk to the health. The thing, therefore, is to take some simple medicine which will gently assist the action of the kidneys, and by stimulating the flow of urine help to carry off the solid matter with which the fluid is charged. For this purpose Beecham's Pills will be found exceedingly valuable, and whether taken for their efficient, diuretic properties, or as an adjunct to special treatment, there is probably no case in which these Pills would not be of great benefit. They are decidedly useful in assisting the expulsion of uric acid from the system if taken in conjunction with the measures here recommended. It is well to remember, by the way, that an excess of uric acid is frequently associated with an unhealthy state of the liver, and that constipation and a sluggish liver in all uric acid troubles are conditions never to be neglected. * * * Should anyone have reason to suspect that uric acid is not being properly eliminated, and that sluggish kidneys are giving rise to indisposition, the immediate and systematic use of Beecham's Pills is confidently advised. At the same time the diet should be regulated, alcohol consumed only in the strictest moderation, if at all, and, then much diluted with potash or lithia water. Pure water should be drunk freely, reasonable exercise in the open-air indulged in, woolen underwear adopted, and warm or tepid baths frequently taken. This simple treatment will, in all ordinary cases, not only restore the health, but may prevent more complicated forms of disease from arising, and Beecham's Pills will probably be the only medicine required to achieve the desired result. Secret Maladies. It is very difficult to form a decision as to what should be communicated to the public and what should be withheld on the subject of certain secret disorders, the nature of which is commonly understood, and upon which, therefore, it will be unnecessary to dwell. It will be sufficient to offer a few general remarks, and to indicate the method of cure, which is, beyond all, the question of supreme importance. Let it never be forgotten that even a slight delay in dealing with diseases of this type may be terribly fruitful of future trouble. * * * In the first place, the advice of a properly qualified medical man is necessary, whatever the character of the disease, or whether it be hereditary or acquired. But the process of eradicating the poison from the system will be materially assisted by the aid of a perfectly safe but reliable, searching, cleansing purgative medicine; and nothing better for that purpose can be used than Beecham's Pills. They should be taken immediately, and continued for a considerable time after the cure is apparently complete. This is of the utmost importance, because in many cases the cure is not absolute, and nothing but a prolonged course of an efficient blood-purifying medicine like Beecham's Pills will make it so. The great object in treating these disorders is to thoroughly clear the blood of every trace of the specific poison

which has affected it; and when it is remembered that the taint may linger, unsuspected, for years, and then reappear in some distressing form of disease, or in the offspring, it is at once obvious that the process of blood-purification should be continued, without intermission, for a long period. By taking Beecham's Pills, as here recommended, this end will be accomplished in the most satisfactory manner and without giving rise to the debilitating effects of more drastic alteratives. They will at the same time strengthen and tone up the digestive organs. Advice to Females of all ages. There are two very critical ages in the life of women. Females from sixteen to twenty-five years are often subject to serious variations and derangements affecting their usual monthly periods; which latter are either unduly delayed or poor and insufficient. Let such sufferers beware and remedy the evil before it is too late. The existence of thousands is made wretched, and painful diseases are sometimes established long before the prime of life is reached through carelessness in the matter referred to. There are many females in every condition of life, and particularly those dwelling in the manufacturing districts, or engaged in factories or business generally, who suffer from constant languor, shortness of breath, tightness of the chest, with difficulty in breathing, sometimes attended with a short, dry cough, with loss of appetite, loss of interest in work or pleasure—in fact, loss of all the energies of life, through dangerous inattention to the laws which govern their sex. Women, as soon as they find any unusual delay or departure from regularity at the proper time, should assist Nature by taking two or more Beecham's Pills morning and night, and this efficient medicine will not fail to bring about the free and healthy action that is required. * * * The extent of the trouble experienced by women is varied, but Beecham's Pills have long been a favorite and efficient resort to prevent undue distress and discomfort. One trial will usually convince those who do not yet know that it is wise to have Beecham's Pills on hand. From forty to fifty is, again, a highly critical age for a woman. It is, mostly, within this limit that what is generally known as 'the change of life' occurs. * * * The general health should be fortified, the bowels kept active, and the organs of digestion regulated by the use of Beecham's Pills. How many females do we see daily around us, who suffer in a most distressing manner from Indigestion and loss of Appetite, Bilious and Liver Complaints, Sick Headache accompanied by lowness of spirits and great depression of the nervous system? Others again suffer with bad legs, swellings and stiffness of the joints, rheumatism, dropsies, and a thousand other distressing complaints. Beecham's Pills have saved the lives of thousands of women who have tried other medicines without avail, and given themselves up to despair. Let every female, as soon as she finds a change coming on, take four or five of the Pills every day for a week or two, and afterwards take them four or five days in every month, and by this means they will assist Nature to carry off all gross humors and tide over the critical period without serious complications and with freedom from the pain and inconvenience that so often accompany it."

On September 8, 1919, the said B. F. Allen Co., New York, N. Y., Chicago, Ill., and Boston, Mass., claimant, having filed its claim and answer admitting the allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8204. Adulteration and misbranding of rice meal and rice bran. U. S. * * * v. Salomon S. Goldberg (Haskins Trading Co.). Plea of nolo contendere. Fine, \$40. (F. & D. No. 10883. I. S. Nos. 4237-p, 4853-p, 8241-p, 9556-p.)

On March 13, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Salomon S. Goldberg, trading as the Haskins Trading Co., New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 8, 1918, from the State of Louisiana into the State of Florida, and on or about December 3, 1917, from the State of Louisiana into the State of South Carolina, of quantities of an article, labeled in part "Rice Meal," and on or about March 2, 1918, from the State of Louisiana into the State of Wisconsin, and on or about April 23, 1918, from the State of Louisiana into the State of Tennessee, of quantities of an article which was unlabeled, but which was invoiced as "Rice Bran," each of which was adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Rice meal.		Rice bran.	
	Shipment to Florida.	Shipment to South Carolina.	Shipment to Wisconsin.	Shipment to Tennessee.
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
Moisture.....	8.1	8.2	5.5	7.8
Ether extract.....	11.1	9.8	11.2	10.2
Crude fiber.....	15.3	16.4	17.3	15.4
Crude protein.....	12.1	10.0	9.9	9.4
Ash.....	11.8	11.4	11.8	10.8
Acid insoluble ash.....	6.5	7.4	7.4	8.5

Analyses indicate added rice hulls.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for rice meal or rice bran, as the case might be, which the article purported to be.

Misbranding of the rice meal was alleged for the reason that the following statements, to wit, "Rice meal," on the shipment to Florida, and "Rice Meal, crude protein 11%" and "Crude Fibre 11%," on the shipment to South Carolina, borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented, in the shipment to Florida, that the article was rice meal, and, in the shipment to South Carolina, that it was rice meal and contained not less than 11 per cent of crude protein and not more than 11 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the shipments were rice meal, and that the shipment to South Carolina contained not less than 11 per cent of crude protein and not more than 11 per cent of crude fiber, whereas, in truth and in fact, the said article in each shipment was not rice meal, but was a product containing rice hulls, and in the shipment to South Carolina it did contain less than 11 per cent of crude protein and more than 11 per cent of crude

fiber. Misbranding was alleged in substance for the further reason that the article in each case was a product containing added rice hulls, and was offered for sale and sold under the distinctive name of another article, to wit, rice meal. Misbranding of the rice bran was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 24, 1920, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$40.

E. D. BALL, *Acting Secretary of Agriculture.*

8205. Misbranding of Texas Wonder. U. S. * * * v. 56 Bottles * * * of * * * Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11887. I. S. No. 9093-r. S. No. C-1688.)

On January 14, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 56 bottles of drugs, labeled in part "Texas Wonder," consigned by E. W. Hall, St. Louis, Mo., remaining unsold in the original unbroken packages at Cairo, Ill., alleging that the article had been shipped on or about December 11, 1919, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaliba, oil of turpentine, rhubarb, colchicum, guaiac, alcohol, and water.

It was alleged in substance in the libel and found by the court in the decree that the article was misbranded for the reason that the following statements regarding the therapeutic and curative effects thereof, appearing on the labels and on the cartons in which the bottles were contained, were false and fraudulent because said article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed in said labels, which were in the words and figures following, "Texas Wonder a remedy for kidney and bladder troubles, * * *," and in that the following statements regarding the therapeutic and curative effects of the article, appearing in the small circular contained in the carton, were false and fraudulent because said article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed in said circular as follows, "Read Carefully Special Directions * * * the Texas Wonder, Hall's Great Discovery * * * gravel and rheumatic troubles. It should be taken every night in twenty-five drop doses until relieved. * * *."

On April 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8206. Misbranding of D. D. D. Extra Strong and D. D. D. Ordinary. U. S. * * * v. D. D. D. Co., a Corporation. Plea of *nolo contendere*. Defendant discharged on payment of costs. (F. & D. No. 10761. I. S. Nos. 5749-r, 5750-r.)

On February 26, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the D. D. D. Co., a corporation, Chicago, Ill., alleging shipment by said company, in

violation of the Food and Drugs Act, as amended, on or about November 9, 1918, of a quantity of an article, labeled in part "D. D. D. Prescription for the Skin Extra Strong," and on or about August 12, 1918, of a quantity of an article, labeled in part "D. D. D. Ordinary * * * for External Use," from the State of Illinois into the State of Michigan, each of which was misbranded.

Analysis of a sample of the D. D. D. Extra Strong by the Bureau of Chemistry of this department showed that it consisted essentially of a pale yellow solution containing glycerin, phenol, salicylic acid, chloral hydrate, and a small amount of methyl salicylate, alcohol, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for eczema and all diseases of the skin and for chronic dry eczema and psoriasis, and for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing in the booklet accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for eczema of every sort, acne and pimples, dermatitis, poisonous rashes, itching piles, psoriasis, dandruff, all diseases of the scalp, salt rheum, tetter, scabies, lichen, red nose, baby rash, ring worms, herpes, bites, barbers' and other itch of all sorts, sycosis, nettle rash, poison oak and ivy, blotches on the skin, and as a preventive against falling out of the hair, whereas, in truth and in fact, it was not, and was not so effective as a treatment, remedy, or cure for any diseases of the skin or for eczema of any sort.

Analysis of a sample of the D. D. D. Ordinary showed that it was a pale yellow solution containing chiefly glycerin, phenol, salicylic acid, chloral hydrate, a small amount of methyl salicylate, alcohol, and water.

Misbranding of the article was alleged in substance in the information for the reason that the statements, designs, and devices regarding the therapeutic and curative effects, appearing on the labels of the bottles and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for eczema and all diseases of the skin and scalp, psoriasis, pimples, tetter, red nose, salt rheum, dandruff, itching piles, ring worm, dermatitis, itching of every sort, sycosis, all forms of eczema and all cases of any skin diseases, and for the further reason that the statements and representations appearing in the booklet accompanying the article, regarding the therapeutic and curative effects thereof, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for eczema of every sort, acne and pimples, dermatitis, poisonous rashes, itching piles, psoriasis, dandruff, all diseases of the scalp, salt rheum, tetter, scabies, lichen, red nose, baby rash, ring worms, herpes, bites, barbers' and other itch of all sorts, sycosis, nettle rash, poison oak and ivy, blotches on the skin, and as a preventive against falling out of the hair, when, in truth and in fact, it was not, and was not so effective as a treatment, remedy, or cure for any diseases of the skin or scalp, itching of any sort, any forms of eczema, any cases of skin diseases or barbers' or other itch of any sort.

On March 31, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant corporation, and the court discharged said defendant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

8207. Adulteration of shell eggs. U. S. * * * v. Henry Glass (Henry Glass Produce Co.). Plea of guilty. Fine, \$10. (F. & D. No. 10054. I. S. Nos. 6658-r, 6659-r.)

On July 18, 1919, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry Glass, trading as the Henry Glass Produce Co., Highfill, Ark., alleging shipment by said defendant in the name of J. R. Bever Co., on or about August 12, 1918, in violation of the Food and Drugs Act, from the State of Arkansas into the State of Louisiana, of 2 consignments of shell eggs which were adulterated.

Examination of samples from each shipment of the article, consisting of 3 half-cases and $\frac{1}{2}$ case, respectively, made by the Bureau of Chemistry of this department showed that 245 eggs, or 45 per cent, and 66 eggs, or 36 per cent, respectively, were inedible.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 25, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

8208. Adulteration and misbranding of evaporated apples. U. S. * * * v. William J. Hamilton (A. C. Hamilton & Co.). Plea of guilty. Fine, \$40 and costs. (F. & D. No. 9652. I. S. Nos. 8142-p, 8143-p.)

On July 21, 1919, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William J. Hamilton, trading as A. C. Hamilton & Co., Fayetteville, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 24, 1917, from the State of Arkansas into the State of Oklahoma, of 2 shipments of evaporated apples which were adulterated and misbranded. The article in both shipments was labeled in part, "Ulster Brand Evaporated Apples."

Analysis of a sample of the article in each shipment by the Bureau of Chemistry of this department showed that it contained moisture in excess of the limit prescribed for evaporated apples.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for evaporated apples, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, "Evaporated Apples," borne on the boxes containing said article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated apples, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated apples, whereas, in truth and in fact, said article did not consist wholly of evaporated apples, but consisted in part of an excessive amount of water.

On January 13, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S209. Misbranding of Milks Emulsion. U. S. * * * v. 20 Dozen Small Bottles, 7 Dozen Large Bottles, 6 Dozen Large Bottles, and 6 Dozen Small Bottles of Milks Emulsion. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11396, 11469. I. S. Nos. 15336-r, 15337-r, 15334-r. S. Nos. E-1822, E-1824.)

On October 10, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 dozen small bottles, 7 dozen large bottles, 6 dozen large bottles, and 6 dozen small bottles of Milks Emulsion, remaining unsold in the original unbroken packages at Lynchburg, Va., alleging that the 20 dozen small bottles and the 7 dozen large bottles of the article had been shipped on or about August 22, and June 30, 1919, respectively, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Virginia, and that the 6 dozen large bottles and 6 dozen small bottles of the article had been shipped on or about September 12, 1919, and transported from the District of Columbia into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum with small amounts of sirup, glycerin, and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the statement in the booklet accompanying it, "Milks Emulsion Contains a Great Amount of Fat," was false and misleading, since it contained no fat. Misbranding was alleged for the further reason that the following statements on the label of the bottle on both sides, to wit, "Milks Emulsion * * * a valuable remedy for dyspepsia, indigestion, catarrh of stomach and bowels * * * bronchial asthma, catarrhal croup, bronchitis * * * especially beneficial in incipient consumption," regarding the curative and therapeutic effects thereof, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged in substance for the further reason that the following statements printed on the carton, regarding the curative and therapeutic effects of the article, were false and fraudulent, (cartons, large and small bottles) "Milks Emulsion * * * a valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, * * * colds, coughs due to sore throat, bronchial pneumonia, incipient consumption, bronchial asthma, catarrhal cough * * * strengthens the digestive organs * * * enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. * * * is very beneficial in incipient consumption * * * coughs due to sore throat, bronchitis or pneumonia, bronchial asthma, dyspepsia, indigestion, catarrh of the stomach and bowels, * * *. Especially beneficial in the ills of children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. * * * Relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks Emulsion because it strengthens their children as nothing else has ever done, thus rendering them less liable to many of the contagious diseases so common among children. * * *," and for the further reason that the following statements printed in the booklet accompanying the article, regarding the curative and therapeutic effects thereof, were

false and fraudulent, (booklet, both sizes) " * * * dyspepsia, indigestion, catarrh of the stomach and bowels * * * bronchitis * * * coughs, spasmodic croup, consumption (in its early stages), bronchial asthma * * * stomach trouble in its various forms * * * Stomach trouble, as understood by the laity, covers acute and chronic dyspepsia, indigestion, gastritis, chronic gastric catarrh, chronic nervous dyspepsia, ulcer of the stomach, cancer of the stomach and tumors of the stomach. We mention cancer, syphilis and tumors of the stomach under the head of stomach trouble simply to show you the possibilities under this term, which can only be determined by a thorough examination made by a competent physician under whose care you should place yourself should it be found that your trouble arises from either of these causes. * * * gastritis * * *. Thousands of people have reported to us that they found relief in the use of Milks Emulsion for various forms of stomach trouble, almost from the first dose, notwithstanding the fact that they had been afflicted for years and that everything they ate distressed them. * * * Our years of experience with stomach trouble in its various forms have convinced us that if a person has dyspepsia, indigestion, gastritis or catarrh of the stomach and bowels, and ever hopes to get well, he will sooner or later have to take Milks Emulsion. We are so confident that Milks Emulsion will do the work * * *," (testimonials) " * * * A year ago I had such a bad case of stomach trouble that at times it was hard to keep life in me, so much gas gathered it crowded my heart and lungs so that I could scarcely get my breath, * * * I coughed most all the time and raised so much seemed to be yellow matter. I got so thin and weak I could scarcely walk * * * I am convinced Milks Emulsion saved my life. * * *," " * * * It cured me of a very bad case of catarrh of the stomach and intestines * * * It is a wonderful remedy * * * For many years I have suffered from stomach trouble * * * Finally more as a last resort, rather than expecting any relief, I tried Milks Emulsion. After taking seven bottles, I can say that I am well. * * *," " * * * My husband was afflicted awfully bad with stomach trouble. He used eight bottles of your Emulsion and it cured him sound and well. * * *," " * * * It has cured me of dyspepsia * * * After having suffered ten years with stomach trouble and spending lots of money for medicine, I concluded to try one more and that one was Milks Emulsion * * * I have used five packages and feel that I am thoroughly cured. * * *," " * * * I had stomach trouble for about 30 years and bad lungs. Now I am perfectly well. It cured both my lungs and stomach * * *," " * * * I had catarrh ever since I was seventeen years old until I took Milks Emulsion. Now I am well and we will always keep a bottle. * * *," " * * * I had neuralgia of the stomach * * * I got one bottle and it cured me entirely. * * *," " * * * Our little girl has been afflicted with stomach trouble for four years * * * but the first bottle of Milks Emulsion she took cured her completely. * * *," " * * * I had throat and stomach trouble for fifteen years and doctored with a dozen doctors, getting no relief. Finally, they advised me to go to Colorado to get cured so I went there and stayed there three months then came back home without being benefited and began to cough worse than ever. When I saw your advertisement, I commenced to take Milks Emulsion * * * I continued its use until it cured me sound and well. * * *," " * * * Before taking your Emulsion I had been doctoring my stomach for four or five years without results. I think Milks Emulsion is the only cure. * * *," " * * * I can honestly recommend it to any person suffering from stomach trouble as it cured me when other medicines failed. * * *," " * * * My son whom I live with has

two children, the youngest not a year old. They both had grippe last winter and a bad cough. We gave them Milks Emulsion and it cured them in less than two days and neither of them has coughed a particle since. * * * It is the best medicine in the world for the stomach. * * * ' * * * I only hope that some brother or sister who is suffering with throat, lung or stomach trouble as I was, will in some way get to read this letter for I think that Milks Emulsion is worth its weight in gold. I am sure that it not only helped me and put me back to work again, but that it saved my life as well. * * * My case was catarrh and indigestion of ten years' standing. When I commenced taking your Emulsion I was in bed. I am now up and working every day. * * * ' * * * I heartily recommend Milks Emulsion to every sufferer of stomach, bowel, throat or lung trouble. * * * ' * * * having suffered for years with stomach trouble * * * I started to use your Emulsion, and have now used six packages, and am thoroughly cured. * * * ' * * * I have taken 8 bottles of your Emulsion for stomach trouble from which I have suffered for three years. My legs and feet would swell all the time. I am well now, and can say that it was Milks Emulsion that cured me. * * * ' * * * Consumption (In Its Early Stages) Can Be Cured The use of Milks Emulsion, which is 95 per cent petroleum, * * * in the treatment of tuberculosis of the lungs, * * * Milks Emulsion contains a great amount of fat, * * *. It is absolutely necessary to clean the lungs of all poisonous pus before Nature can start to heal them. Milks Emulsion will start the accumulation of pus from the cavities that have formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germs, in ten to twenty-four hours. A 50c bottle will prove our statement. It will cause the consumptive to expectorate very freely, and loosen the cough as well. Consumption cannot be cured until these cavities have been cleaned out and kept clean, the sewage of the body cleaned out and kept clean, the stomach and bowels put in a good healthy condition, thus enabling the patient to digest and assimilate his food, thereby building up the blood and tissue which is necessary for the patient's strength in order that he may combat the weakening effect of tuberculosis. After this has been accomplished, Nature will cause the lungs to heal and build up rapidly. * * * After several years of experimental work with Milks Emulsion in the treatment of Tuberculosis of the Lungs, used as a blood and tissue builder and expectorant and an internal lubricant, we were so sure of its beneficial results, that we advertised to treat all cases of Tuberculosis of the Lungs in the early stages free of charge until cured, something no one else has ever done before or since. This alone should convince anyone of our sincerity in claiming that in Milks Emulsion we have one of God's given remedies for afflicted people. * * * Bronchial Asthma Can Be Cured * * * Milks Emulsion and deep breathing exercises will, in our opinion, do more for asthma than all other asthma cures combined. ' * * * I was a sufferer of hay fever for two years and was in such a condition that it was nearly impossible for me to get my breath at times * * * I took the Emulsion several times a day and derived benefit immediately. I continued taking it regularly, and was entirely cured from the dreaded trouble. * * * ' * * * They all said my case had become one of chronic bronchial asthma * * * I have been a sufferer with asthma and bronchitis for a number of years, causing me to suffer continually. Could hardly get my breath and would cough continually. I am now using Milks Emulsion and I have no more bronchial trouble or asthma. * * * 'I was troubled with a chronic cough for a long time and tried several kinds of medicine * * * I tried three bottles of Milks Emulsion and it helped me.

* * * I then went back to the use of Milks Emulsion and used six bottles and can now say that I am well. * * * Remember, you take no chances. Milks Emulsion is an absolute preventative for spasmodic croup. * * * Milks Emulsion will build up the system, improve the appetite, enrich the blood and strengthen the organs of the throat and lungs which are only too often the cause of croupy, sick and puny children. Mothers endorse Milks Emulsion because it strengthens and builds up their children as nothing else has ever done, rendering them less liable to contract many of the contagious diseases so rife among children," as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 31, 1920, the said Milks Emulsion Co., Terre Haute, Ind., having filed its answer admitting the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product be relabeled according to law.

E. D. BALL, *Acting Secretary of Agriculture.*

S210. Adulteration and misbranding of screened cracked cottonseed cake.
U. S. * * * v. F. W. Brode & Co., a Corporation. Plea of guilty.
Fine, \$50 and costs. (F. & D. No. 12111. I. S. No. 12038-r.)

On June 3, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. W. Brode & Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 4, 1919, from the State of Tennessee into the State of Kansas, of a quantity of an article which was unlabeled, but which was described in a confirmation of sale as "Screened cracked cake 43 per cent protein," and which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 6.43 per cent total nitrogen or 40.23 per cent of protein.

Adulteration of the article was alleged in the information for the reason that a cottonseed meal of less than 43 per cent of protein had been substituted in whole or in part for cottonseed meal containing 43 per cent of protein, which the article purported to be.

Misbranding was alleged for the reason that the article was a cottonseed meal of less than 43 per cent protein, prepared in imitation of, and offered for sale and sold under the distinctive name of, another article, to wit, screened cracked cake containing 43 per cent protein.

On June 26, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S211. Adulteration and misbranding of Old Process Laxo Cake Meal. U. S.
 * * * v. Chicago Heights Oil Mfg. Co., a Corporation. Plea of
 guilty. Fine, \$25 and costs. (F. & D. No. 8563. I. S. Nos. 11380-m,
 17143-m, 19858-m.)

On May 29, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chicago Heights Oil Mfg. Co., a corporation, alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 5, 1917, from

the State of Illinois into the States of Kentucky and Ohio, and on or about February 20, 1917, from the State of Illinois into the State of Ohio, of quantities of an article, labeled in part "Old Process Laxo Cake Meal," which in each of the three shipments was adulterated and misbranded.

Examination of a sample of the article shipped to Kentucky made by the Bureau of Chemistry of this department showed that it contained more than 50 per cent of weed seeds or screenings.

Adulteration of this article was alleged in the information for the reason that a cake meal made from ground flaxseed and over 50 per cent of ground flaxseed screenings had been substituted wholly for "Cake Meal * * * made from: Ground Flax Seed, Ground Flax Seed Screenings 15%," which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Cake Meal * * * made from: Ground Flax Seed, Ground Flax Seed Screenings 15%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was a cake meal made from ground flaxseed and 15 per cent of ground flaxseed screenings, and for the further reason that it was labeled so as to deceive and mislead the purchaser into the belief that it was a cake meal made from ground flaxseed and 15 per cent of ground flaxseed screenings, whereas, in truth and in fact, it was not a cake meal made from ground flaxseed and 15 per cent of ground flaxseed screenings, but was a cake made from ground flaxseed and a larger amount of ground flaxseed screenings, to wit, over 50 per cent of ground flaxseed screenings.

Examination of a sample of the article from the first shipment to Ohio showed that this product contained more than 40 per cent of weed seeds or screenings. The other shipment to Ohio contained over 50 per cent of weed seeds or screenings.

Adulteration of the article in each of these shipments was alleged for the reason that a mixture composed in part of weed seeds or screenings cake had been substituted in whole or in part for "Cake Meal (Unscreened Flaxseed Oil Feed) * * * Ingredients: Unscreened Flaxseed," which the article purported to be.

Misbranding of the article in these shipments was alleged for the reason that the statement, to wit, "Cake Meal (Unscreened Flaxseed Oil Feed) * * * Ingredients: Unscreened Flaxseed," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was cake meal (unscreened flaxseed oil feed), a product composed of unscreened flaxseed, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was cake meal (unscreened flaxseed oil feed), a product composed of unscreened flaxseed, whereas, in truth and in fact, said article was not cake meal (unscreened flaxseed oil feed), a product composed of unscreened flaxseed, but was a mixture composed of, to wit, flaxseed cake and weed seeds or screenings cake.

One June 22, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8212. Misbranding of McGraw's Herbs of Youth. U. S. * * * v. George W. McGraw (McGraw Remedy Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8897. I. S. No. 10600-m.)

On May 20, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information against George W. McGraw (McGraw Remedy Co.), Little Rock, Ark., alleging shipment by said defendant, on or about June 13, 1916, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the State of Missouri, of a quantity of drug, labeled "McGraw's Herbs of Youth," which was misbranded. The article was labeled: (Carton) "McGraw's Herbs of Youth The Great Blood, Liver, Stomach and Kidney Remedy. McGraw Remedy Co. Manufacturers Little Rock, Ark. Parsons, Kans. See Directions on other side. Price per package \$1.00. McGraw's Herbs of Youth The Great Blood, Stomach and Nerve Remedy The most reliable Blood Purifier, Stomach Renewer and Strength Restorer ever prepared. A valuable remedy for all forms of Nerve Diseases. It contains nothing of a harmful nature, but brings the overwrought and tired nerves back to their natural Tone and Vigor. A weak or diseased stomach will become strong and well by its use, and impure blood will be purified, causing the resulting disease to disappear. It is important for you to know that it is free from Alcohol or poisonous drugs of any kind. It is a Purely Vegetable Compound, free from any mineral poisons and tones up the entire system, creates an appetite, and will overcome Blood Disorders, Stomach Troubles, Sick Headache, Malaria, Indigestion, Dyspepsia, Liver Complaint, Constipation, Kidney Trouble, Rheumatism, Catarrh, Skin Diseases, Scrofula, Neuralgia and Nerve Troubles. Prompt Relief for Female Weakness and Irregularities. A Trial will convince you of its Merits Expels—Parasites or Worms Relieves—Rheumatism, Catarrh, Piles, Kidney Troubles, Stomach Troubles, Female Diseases, Indigestion, Constipation, Blood Poisoning, La Grippe and Impurities of the Blood, prevents Headaches, Chills, Fever, Etc. Directions—Place contents of each small package in one quart of water. Shake before using. Dose—Adults, wine glass full three times a day. The dose can be increased or diminished according to the movement of the bowels. Children, teaspoonful to tablespoonful. In hot weather, add two ounces of alcohol to one quart of medicine. McGraw's Herbs of Youth All Druggists;" (circular) "McGraw's Herbs of Youth * * * Female Complaint * * * Scrofula, Ulcers, Pimples, Boils, Eruptions, Swellings, Erysipelas, Eczema, Tetter, Blotches, Sore Eyes, Sore Ears, St. Anthony's Fire, Salt Rheum, Scald Head, Sore Legs, Canker, Chronic Rheumatism and Gout. * * * It was found that McGraw's Herbs of Youth would relieve Rheu^{pe}psia, Malaria, Scrofula, Syphilis, Blood Poison, La Grippe, Ovarian Troubles, Piles, either Itching, Bleeding or Blind, Constipation and all Female Troubles. * * * Relieves Calculous Affection, Chronic Inflammation and Ulceration of the Kidneys and Bladder; will partially relieve Bright's Disease * * *."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of powdered drugs, including capsicum, senna, celery, licorice, quassia, and spigelia.

Misbranding of the article was alleged in the information for the reason that the statements regarding the curative and therapeutic effects of the article, appearing on the carton and circular accompanying the article, were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as the most reliable blood purifier, stomach renewer, and strength restorer ever prepared, and effective as a valuable remedy for all forms of nerve diseases, and effective to bring the overwrought and tired nerves back to their natural tone and vigor, and effective to cause a weak or diseased stomach to become strong

and well by its use, and effective as a treatment, remedy, and cure for blood disorders, stomach troubles, sick headache, malaria, indigestion, dyspepsia, kidney trouble, rheumatism, catarrh, skin diseases, scrofula, neuralgia, nerve troubles, and for female weakness and irregularities, piles, blood poisoning, la grippe, and impurities of the blood, female complaint, scrofula, ulcers, pimples, boils, swellings, eruptions, eczema, scald head, sore legs, canker, chronic rheumatism, gout, malaria, syphilis, blood poison, la grippe, ovarian troubles, piles, either itching, bleeding, or blind, calculous affection, chronic inflammation and ulceration of the kidneys and bladder, and effective to partially relieve Bright's disease, whereas, in truth and in fact, the article was not in whole or in part composed of ingredients or medicinal agents effective for the treatment, remedy, and cure of said diseases.

On July 26, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8213. Adulteration and misbranding of rice bran. U. S. * * * v. Levy Rice Milling Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9056. I. S. No. 8730-p.)

On July 16, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Levy Rice Milling Co., New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 8, 1917, from the State of Louisiana into the State of Alabama, of a quantity of an article, labeled in part "Rice Bran," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Fat-----	7.66
Protein-----	8.84
Crude fiber-----	18.40
Examination showed added rice hulls.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for rice bran, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Fat 10.16 per cent, Protein 10.62 per cent, Fibre 16.27 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 10.16 per cent of fat, not less than 10.62 per cent of protein, and not more than 16.27 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10.16 per cent of fat, not less than 10.62 per cent of protein, and not more than 16.27 per cent of fiber, whereas, in truth and in fact, it contained less than 10.16 per cent of fat, less than 10.62 per cent of protein, and more than 16.27 per cent of fiber, to wit, 7.66 per cent of fat, 8.84 per cent of protein, and 18.40 per cent of fiber.

On June 12, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

8214. Adulteration of milk. U. S. * * * v. Frank Rogow. Plea of guilty. Fine, \$25. (F. & D. No. 9191. I. S. Nos. 1306-p, 2604-p.)

On April 22, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Rogow, trading as Rogow Bros., MacDougall, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 15, and September 14, 1917, from the State of New York into the State of New Jersey, of quantities of an article which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that a portion of the cream had been removed.

Adulteration of the article in each shipment was alleged in the information in that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.

On October 28, 1919, Frank Rogow entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8215. Adulteration and misbranding of hog remedy. U. S. * * * v. 3 Cases of Hog Remedy. Default decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 9467. I. S. No. 7477-r. S. No. C-1013.)

On November 25, 1918, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of hog remedy, remaining unsold in the original unbroken packages at Eola, Mo., alleging that the article had been shipped on or about October 23, 1918, by the Dr. J. H. Snoddy Remedy Co., Alton, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "The Snoddy Remedy for Hog Worms and all Parasitic Diseases including Hog Cholera and Swine Plague. The Snoddy Remedy for Hog Worms and Hog Cholera. The J. H. Snoddy Remedy Co., Alton, Ill. U. S. A. Snoddy Remedy for Hogs and Poultry. A Remedy designed for the treatment of Hog Cholera and Swine Plague, and for expelling hog worms and putting hogs in a fine state of thrift. Also, for treating Cholera, Roup and Worm diseases of Poultry. Beware of imitations

* * * Distributed by The Dr. J. H. Snoddy Remedy Co., Alton, Ill. Directions for Cholera Treatment. Do not give the Hogs * * * After Treatment. Very Important. After the Cholera Treatment is finished put the Hogs on the following Diet: * * * Further directions in Booklet. Directions Inside This Box Weight 20 oz. (av.) Guarantees this Remedy to contain not less than 0.5 per cent. of crude fat, 11.6 per cent. of crude protein, not more than 9 per cent. of crude fiber, and to be compounded from the following ingredients: Sulphur, Copper Sulphate, Arsenic Trioxide, Charcoal, Phytolacca, (Poke Root), Sodium Sulphate, Ammonium Chloride, Mandrake and Wheat Middlings. When Buying this Remedy Be Sure to get one of Snoddy's little booklets, furnished free to every purchaser. This little booklet fully explains the directions and the care of the hogs, either sick or well. Read it carefully."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture containing sodium sulphate, copper sulphate, an arsenic compound, sulphur, powdered charcoal, wheat middlings, and possibly podophyllum and phytolacca. The

protein content ($N \times 6.25$) was 9.41 per cent. No ammonium chlorid was present.

Adulteration of the article was alleged in the libel in that the product fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in that the statements contained in the label regarding the ammonium and protein contents were false and misleading. Further misbranding of the article was alleged for the reason that the claims set out in said label as to its therapeutic and curative effect were false and fraudulent as the product would not produce the effects claimed. Further misbranding of the article was alleged in that it fell below the professed standard and quality set out in said label.

On May 24, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S216. Adulteration and misbranding of butter. U. S. * * * v. Cairo Ice Cream & Butter Co., a Corporation. Plea of guilty. Fine, \$225 and costs. (F. & D. No. 9663. I. S. Nos. 10024-p, 10025-p, 10026-p, 12159-p.)

On April 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cairo Ice Cream & Butter Co., Cairo, Ill., alleging shipment by the defendant, in violation of the Food and Drugs Act, as amended, on June 12, June 26, and June 25, 1918, from the State of Illinois into the State of Missouri, of certain quantities of an article, labeled in part "Blue Grass Creamery Butter," which was adulterated and misbranded.

Analyses of samples by the Bureau of Chemistry of this department showed that the article shipped June 12 contained excessive moisture, and that the contents of the packages in all of the shipments were short in weight.

Adulteration of the article was alleged in the information as to the June 12 shipment in that water had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality. Further adulteration was alleged in that water had been substituted in part for butter, which the article purported to be.

Misbranding of the June 12 shipment was alleged in that the statement on the label on the package containing the article, to wit, "Butter," was false and misleading in that it represented that the article consisted wholly of butter, whereas it did not consist wholly of butter, but contained an excessive amount of water. Further misbranding was alleged in that the article was so labeled as to deceive and mislead the purchaser into the belief that the article contained butter, whereas it contained an excessive amount of water. Misbranding of the article in each shipment was alleged in that the statement on the package, to wit, "1 Pound Net," represented that the package contained 1 pound of the article, whereas it contained less than 1 pound of the article. It was further misbranded in that it was so labeled as to deceive and mislead the purchaser into the belief that each package contained 1 pound of the article, whereas it contained less than 1 pound. Further misbranding was alleged in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 14, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$225 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8217. Misbranding of Halz Tablets. U. S. * * * v. Edwin Price (Ed. Price Chemical Co.). Plea of guilty. Fine, \$15 and costs. (F. & D. No. 9784. I. S. Nos. 8436-p, 8437-p.)

On August 30, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edwin Price, trading as the Ed. Price Chemical Co., Kansas City, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on December 11, and April 6, 1917, from the State of Missouri into the State of Nebraska, of a certain quantity of an article, labeled in part "Halz Tablets," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the tablets consisted of rhubarb, copaiba, plant material including a trace of alkaloid, sugar, starch, and carbonates of calcium and magnesium.

Misbranding of the article was alleged in the information in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing the article and in the circulars accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for gonorrhea, gleet, whites, leucorrhea, and unnatural discharges of either sex, pains in the back, cystitis, continence or incontinence of urine, whereas, in truth and in fact, it was not effective.

On September 30, 1919, Edwin Price entered a plea of guilty to the information, and the court imposed a fine of \$15 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8218. Adulteration and misbranding of rice bran. U. S. * * * v. Levy Rice Milling Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9846. I. S. No. 12121-p.)

On September 27, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Levy Rice Milling Co., a corporation, New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 12, 1918, under the name of A. C. Wooley & Co., from the State of Louisiana into the State of Illinois, of a quantity of an unlabeled article which was billed as rice bran, and which was adulterated and misbranded.

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture-----	8.77
Ether extract-----	10.07
Crude fiber-----	22.70
Crude protein-----	9.47
Ash-----	13.11
Acid insoluble ash-----	9.02
Examination showed the addition of rice hulls.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for rice bran, which the article purported to be.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 12, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

S219. Adulteration and misbranding of olive oil. U. S. * * * v. 21 Cans, More or Less, of Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 9978. I. S. No. 2521-r. S. No. W-290.)

On March 31, 1919, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 cans of olive oil, remaining unsold in the original unbroken packages at Cheyenne, Wyo., consigned by A. Carbone & Co., Denver, Colo., alleging that the article had been shipped on or about August 22, 1918, and transported from the State of Colorado into the State of Wyoming, and charging adulteration and misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted almost wholly of cottonseed oil, and that the quantities of the contents were less than one gallon and one-half gallon, as labeled.

Adulteration of the article was alleged in the libel in that a substance, to wit, cottonseed oil, had been mixed and packed with the olive oil contained in the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that a substance, to wit, cottonseed oil, had been substituted wholly or in part for olive oil.

Misbranding of the article was alleged in that the statement on the label on the can containing the article, to wit, "Olio Puro D'Oлива Lucca Tipo Italy Garantito Prodzione," deceived and misled the purchaser in that it purported the article to be a foreign product, that is a product of Italy, whereas, in truth and in fact, it was not a product of Italy, but of the United States of America. Further misbranding was alleged in that the statements on the labels on the cans containing the article, to wit, "Net Contents One Full Gallon" and "Net Contents Full Half Gallon," were false and misleading in that they represented, respectively, that the net contents were 1 full gallon and 1 full half-gallon, whereas, in truth and in fact, the net contents, respectively, were not 1 full gallon and 1 full half-gallon, but were less in each case.

On April 29, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S220. Adulteration and misbranding of Serv-Us Brand Evaporated Milk. U. S. * * * v. Serv-Us Evaporated Milk Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10048. I. S. No. 17577-r.)

On July 21, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Serv-Us Evaporated Milk Co., a corporation, Belleville, Wis., alleging shipment by said defendant company, in violation of the Food and Drugs Act, on or about May 21, 1918, from the State of Wisconsin into the State of Florida, of a quantity of an article, labeled in part "Serv-us Brand Evaporated Milk," which was adulterated and misbranded.

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed that it was below standard in fat and solids.

Adulteration of the article was alleged in the information for the reason that an insufficiently condensed milk product, deficient in fat and total solids, had

been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for evaporated milk which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but did consist in part of an insufficiently condensed milk product, low in fat and total solids.

On October 6, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8221. Misbranding of Columbia Short Stop. U. S. * * * v. 2 Gross Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10222. I. S. No. 16191-r. S. No. E-1371.)

On May 13, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Columbia Short Stop," remaining unsold in the original unbroken packages at Tampa, Fla., consigned by the Columbia Drug Co., Savannah, Ga., alleging that the article had been shipped on or about February 18, 1919, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of oils of sandal wood, copaiba, and turpentine, gum acacia, ethyl nitrite, alcohol, and water, scented with lavender.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the labels on the bottles containing, and on the cartons enclosing the article, falsely and fraudulently represented the article to be effective for gonorrhea, gleet, running range, and inflammation of the kidneys and bladder, whereas, in truth and in fact, it was not effective.

On June 4, 1919, the Columbia Drug Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8222. Misbranding of Columbia Short Stop. U. S. * * * v. 11 Dozen Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10277. I. S. No. 16212-r. S. No. E-1406.)

On or about May 15, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Columbia Short Stop," remaining unsold in the original unbroken packages at Jackson-

ville, Fla., consigned by the Columbia Drug Co., Savannah, Ga., alleging that the article had been shipped on or about April 2, 1919, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of oils of sandal wood, copaiba, and turpentine, gum acacia, ethyl nitrite, alcohol and water, scented with lavender.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the label on the bottle containing, and on the carton enclosing the article, falsely and fraudulently represented the article to be effective for gonorrhea, gleet, running range, and inflammation of the kidneys and bladder, whereas, in truth and in fact, it was not effective.

On June 4, 1919, the Columbia Drug Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8223. Adulteration and misbranding of My Own Pure Cocoa. U. S. * * * v. 404 Pounds and 584 Pounds of Alleged Cocoa. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10701 to 10731, inclusive. I. S. Nos. 11374-r, 11376-r to 11397-r, inclusive, 12430-r to 12437-r, inclusive. S. Nos. C-1301, C-1306.)

On June 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 404 pounds and 584 pounds of alleged cocoa, at Lima, Ohio, alleging that the article had been shipped on or about February 19, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa * * * The Cocoa contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws * * * Absolutely pure * * *," (inconspicuously stamped on side panel) "My Own Cocoa Compound, containing Corn Starch Cocoa Sugar."

Adulteration of the article was alleged in the libels for the reason that starch or starch and sugar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article, and for the further reason that said product was mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in substance for the reason that the statement "My Own Pure Cocoa," not sufficiently corrected by the inconspicuous statement "My Own Cocoa Compound," was false and misleading and deceived and misled the purchaser in that said label indicated that the article was pure cocoa, whereas analysis of the product in possession of different dealers showed that it contained 27.35 per cent of sugar and 40.84 per cent of starch, 21.77 per cent of starch and no sugar, 27.35 per cent of sugar and 41.91 per cent of starch, 31.62 per cent of sugar and 39.88 per cent of starch, and 21.77 per cent of starch and no sugar, as the case might be. Misbranding of the article was alleged further for the reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article, and for

the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S224. Adulteration and misbranding of rice meal and rice bran. U. S. * * * v. Frank M. Rickert et al. (Rickert's Rice Mills). Plea of guilty. Fine, \$30. (F. & D. No. 10772. I. S. Nos. 4851-p, 7144-p, 8786-p.)

On March 13, 1920, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank M. Rickert, Fred W. Rickert and Marion L. Rickert, copartners, trading as Rickert's Rice Mills, New Orleans, La., alleging shipments by said defendants, in violation of the Food and Drugs Act, as amended, on or about December 10, 1917, from the State of Louisiana into the State of Georgia, of a quantity of an article labeled in part "Rice Meal," on or about September 11, 1917, from the State of Louisiana into the State of Georgia, of a quantity of an article labeled "Rice Bran," and on or about March 15, 1918, from the State of Louisiana into the State of Alabama, of a quantity of an article labeled "Rice Meal," each of which was adulterated and misbranded.

Analysis of a sample of the rice meal shipped to Georgia made by the Bureau of Chemistry of this department showed that it contained 9.44 per cent of crude protein and 14.10 per cent of crude fiber, and examination indicated the presence of added rice hulls; analysis of a sample of the rice bran shipped to Georgia showed that it contained 10.1 per cent of protein and 9.3 per cent of fat, and examination showed that the product contained added rice hulls; and analysis of a sample of the rice meal shipped to Alabama showed that it contained 9.97 per cent of crude protein and 13.32 per cent of crude fiber, and examination also indicated the presence of added rice hulls.

Adulteration of each of the articles was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for rice meal or rice bran, as the case might be, which the article purported to be.

Misbranding of each article was alleged for the reason that the statements, to wit, "Crude Protein 11.50% Crude Fibre 8.30%" and "Rice Meal" or "Protein 12.50% * * * Fibre 10.00%" and "Rice bran," borne on the tags attached to the sacks containing the articles, regarding them and the ingredients and substances contained therein, were false and misleading in that they represented that the articles contained not less than 11.50 per cent of crude protein or 12.50 per cent of protein and not more than 8.30 per cent of crude fiber or 10 per cent of fiber, respectively, and that said articles were rice meal or rice bran, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 11.50 per cent or 12.50 per cent of protein, and contained not more than 8.30 per cent or 10 per cent of crude fiber or fiber, and that said articles were rice meal or rice bran, as the case might be, whereas, in truth and in fact, said articles contained less than 11.50 per cent or 12.50 per cent of protein and more than 8.30 per cent or 10 per cent of crude fiber or fiber, respectively, and said articles were not rice meal or rice bran, as the case might

be, but, were products containing and consisting in part of added rice hulls. Misbranding was alleged for the further reason that said articles were products consisting in part of rice hulls or containing added rice hulls, and were offered for sale and sold under the distinctive names of articles, to wit, rice meal or rice bran, as the case might be. Misbranding of the rice meal shipped to Alabama was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 17, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

S225. Adulteration of shell eggs. U. S. * * * v. John J. Falkenstein. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 11046. I. S. No. 2081-r.)

On October 25, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Falkenstein, Pfeifer, Kans., alleging shipment by said defendant, in violation of the Food and Drugs Act, on August 13, 1918, from the State of Kansas into the State of Colorado, of a quantity of an article, to wit, shell eggs, which was adulterated.

Examination of samples of the article consisting of 360 eggs, or 2 half-cases, by the Bureau of Chemistry of this department showed that 159 eggs, or 44.1 per cent, were inedible.

Adulteration of the article was alleged in the information in that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On January 12, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S226. Misbranding of Bliss Native Herb Tablets. U. S. * * * v. 40 Dozen Boxes of Bliss Native Herb Tablets. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11320. I. S. No. 14192-r. S. No. E-1762.)

On September 25, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on October 1, 1919, an amended libel, for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Bliss Native Herb Tablets," at New Haven, Conn., alleging that the article had been shipped on or about August 29, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, licorice, buchu, uva ursi, capsicum, and a resin-bearing drug.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative and therapeutic effects of the article, appearing in the printed circular accompanying the article, falsely and fraudulently represented the article to be effective as a remedy, treatment, and preventive for auto-intoxication, chronic intestinal stasis, constipation, to restrain the growth of harmful bacteria in the intestines and eliminate them thereby preventing intestinal putrefaction and auto-intoxication, bowel troubles, intestinal indigestion,

rheumatism, sciatica, lumbago, acute and chronic rheumatic pains, enlargement of joints, and to correct the blood, dissolving acids that accumulate in the system, for dyspepsia, indigestion, inflammation of the bladder, scalding urine and brick dust sediment, kidney and bladder trouble, liver, headache, sallow complexion, constipation, dizziness, yellow eyeballs, jaundice, sour stomach, catarrh, and grippe, as a great blood stimulator, for piles, malaria, chills and fever, abscess of the liver, and asthma, whereas, in truth and in fact, it was not effective for the purposes named.

On April 8, 1920, the Alonzo O. Bliss Medical Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

8227. Adulteration and misbranding of vinegar. U. S. * * * v. Albert Taylor. Collateral of \$50 forfeited. (F. & D. No. 11343. I. S. No. 15669-r.)

On May 10, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against Albert Taylor, Anacostia, D. C., alleging that the said defendant did offer for sale and sell in the district aforesaid, in violation of the Food and Drugs Act, on April 28, 1919, a quantity of an article, labeled in part "Vinegar," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article was distilled vinegar artificially colored.

Adulteration of the article was alleged in the information in that it was colored in a manner whereby its inferiority was concealed. Further adulteration was alleged in that certain substances, to wit, distilled vinegar and artificial coloring matter, had been substituted in part for vinegar which the article purported to be. Further adulteration was alleged in that certain substances, to wit, distilled vinegar and artificial coloring matter, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the article was alleged in that it was an imitation of another article, to wit, vinegar, and was offered for sale under the name of another article. Further misbranding was alleged in that the article was labeled "Fine Table Vinegar" so as to deceive and mislead the purchaser into the belief that it was vinegar, whereas, in truth and in fact, it was not vinegar, and said statement on the label was false and misleading in that it represented to the purchasers of the article that it was vinegar, whereas it was not vinegar.

On May 20, 1920, the defendant having failed to appear, the collateral of \$50 that had theretofore been deposited to secure his appearance was forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

8228. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Roberts Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11352. I. S. Nos. 6693-r, 7063-r, 1917-r.)

On March 9, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Roberts Cotton Oil Co., a corporation, doing business at Cairo, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about

January 10, 1919, from the State of Illinois into the State of Missouri, of a quantity of an article labeled in part, "Prime Cotton Seed Meal," on or about February 5, 1919, from the State of Illinois into the State of Michigan, of a quantity of an article labeled in part, "Imperial Cotto Brand Prime Cotton Seed Meal," each of which was misbranded, and on or about February 7, 1919, from the State of Illinois into the State of Indiana, of a quantity of an article, labeled in part "Thirty-Six ' Brand Cottonseed Meal," which was adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Shipment to Missouri.	Shipment to Michigan.	Shipment to Indiana.
Ammonia (per cent.).....	6.89	6.92
Protein (per cent.).....	35.49	35.61	32.4
Crude fiber (per cent.).....	13.80	14.83	16.85

Misbranding of the shipments to Missouri and Michigan was alleged in the information for the reason that the following statements, to wit, "Analysis Ammonia $7\frac{1}{2}$ Per ct. Protein 38.63 to 41 Per ct. * * * Fibre 12 Per ct." or "Guaranteed Analysis: Protein Not Less Than 38.5% * * * Crude Fibre Maximum 12% Ammonia $7\frac{1}{2}$ %" borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than $7\frac{1}{2}$ per cent of ammonia and not less than 38.63 or 38.5 per cent of protein, as the case might be, and not more than 12 per cent of fiber or crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $7\frac{1}{2}$ per cent of ammonia, not less than 38.63 or 38.5 per cent of protein, and not more than 12 per cent of fiber or crude fiber, whereas, in truth and in fact, said article contained less than $7\frac{1}{2}$ per cent of ammonia, and less than 38.63 or 38.5 per cent of protein, as the case might be, and did contain more than 12 per cent of fiber or crude fiber.

Adulteration of the shipment to Indiana was alleged in the information for the reason that a certain substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the following statements, to wit, "Cottonseed Meal to contain not less than * * * 36.0 per cent. of crude protein, not more than 14.0 per cent. of crude fiber," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was cottonseed meal, and that it contained not less than 36 per cent of crude protein and not more than 14 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was cottonseed meal, and that it contained not less than 36 per cent of crude protein and not more than 14 per cent of crude fiber, whereas, in truth and in fact, it was not cottonseed meal, but was a mixture of cottonseed meal and cottonseed hulls, and said article contained less than 36 per cent of crude protein and more than 14 per cent of crude fiber. Misbranding was alleged for the further reason that said article was a mixture

of cottonseed meal and cottonseed hulls, and was offered for sale and sold under the distinctive name of another article, to wit, cottonseed meal.

On May 25, 1920, a plea of guilty to the information was entered on the behalf of the defendant corporation, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S229. Misbranding of Santaletas. U. S. * * * v. 6 Dozen Bottles of Santaletas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11373. I. S. No. 17023-r. S. No. E-1774.)

On October 14, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Santaletas, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped by G. J. Fajardo, New York, N. Y., on or about March 31, 1917, and transported from the State of New York to the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part on the wrapper, "Santaletas Sharp & Dohme, Baltimore, E. U. de A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing oil of sandal wood.

It was alleged in substance in the libel that the article was misbranded so as to mislead and deceive the purchaser or purchasers thereof for the reason that certain statements regarding the curative and therapeutic effects of the said article, appearing in the circular accompanying it, falsely and fraudulently represented it as effective in catarrhal affections of the genito-urinary apparatus, as a cure for chronic gonorrhea, blennorrhea, and other troubles of the urinary canal, and as a treatment for catarrh of the bladder, acute or chronic, due to gonorrheal affections or to other causes, whereas, in truth and in fact, it was not.

On November 28, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S230. Misbranding of Pinkolo ointment. U. S. * * * v. ½ Dozen Large-Size Tubes and ½ Dozen Small-Size Tubes of Pinkolo Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11407. I. S. No. 17043-r. S. No. E-1685.)

On October 4, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of ½ dozen large-size and ½ dozen small-size tubes of Pinkolo ointment, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been sold and offered for sale in Ponce, P. R., on July 23, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Oleum Rubrum Pinkolo Guaranteed by Custer Chemical Co. New York, U. S. A. under the Food and Drugs Act, June 30, 1906."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the active ingredients of the ointment were camphor, red mercuric oxid, and zinc oxid.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that the following state-

ments, regarding the curative and therapeutic effects, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Label on tubes) "Scientific Dermatological Ointment. * * *;" (carton) "* * * for the treatment of acute and chronic diseases of the skin and scalp * * * for eczema, psoriasis, pruritus of the anus, herpes, blepharitis, trachoma, chronic and syphilitic ulcers * * * For the treatment of acne, sycosis, pimples, scab, alopecia, burning piles;" (circular) "* * * Immediately relieves the prickling and insufferable ardor of the skin making the cause of the disease disappear immediately. If you use Pinkolo you will not suffer. If you suffer from any affection of the skin you will find that Pinkolo is superior to any other remedy used for such complaints. In sores and ulcers of chronic character it works marvelously. In eczema and all other diseases of the skin it has no comparison. In diseases of the scalp and when the hair falls it not only cures the disease but it also makes the hair grow. * * * In the treatment of itching and irritating hemorrhoids * * *. With the use of Pinkolo a much better result is obtained than with any other remedy that can be used. * * * Try a tube and we guarantee that it will cure you. If you continue its use * * * In acute and inflammatory eczema * * *."

On November 28, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S231. Misbranding of Milks Emulsion. U. S. * * * v. 24 Dozen Large-Size and 22 Dozen Small-Size Bottles of Milks Emulsion. Consent decree of condemnation and forfeiture. Product released on bond.
(F. & D. No. 11460. I S. Nos. 15332-r, 15333-r. S. Nos. E-1815, E-1816.)

On October 8, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen large-size and 22 dozen small-size bottles of Milks Emulsion, remaining unsold in the original unbroken packages at Roanoke, Va., alleging that the article had been shipped on August 13 and 23, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the article consisted essentially of petrolatum containing small amounts of sirup, glycerin, and flavoring substances such as lemon oil and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the statement in the booklet accompanying it, "Milks Emulsion contains a great amount of fat," was false and misleading, since it contained no fat. Misbranding was alleged for the further reason that the following statements on the label of the bottle of both sizes, "Milks Emulsion * * * a valuable remedy for dyspepsia, indigestion, catarrh of stomach and bowels * * * bronchial asthma, catarrhal croup, bronchitis * * * especially beneficial in incipient consumption," regarding the curative and therapeutic effects thereof, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 31, 1920, the said Milks Emulsion Co., claimant, having filed its answer admitting the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be

released to said claimant company upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$50, in conformity with section 10 of the act, conditioned in part that the product be relabeled according to law.

E. D. BALL, *Acting Secretary of Agriculture.*

S232. Misbranding of olive oil. U. S. * * * v. 600 Tins of Pure Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11520. I. S. Nos. 13173-r, 12995-r. S. No. E-1861.)

On November 24, 1919, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a certain quantity of pure olive oil, remaining unsold in the original unbroken packages at Providence, R. I., alleging that the article had been shipped on September 27, 1919, by Crisafulli Bros., New York City, and transported from the State of New York into the State of Rhode Island, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the quantity of the contents of the packages was less than the quantities stated upon the labels, "One full gallon," "One-half gallon," or "One full quart," as the case might be.

Misbranding of the article was alleged in the libel in that the statements on the labels on the cans containing the article, regarding the quantity of the contents, were false and misleading and deceived and misled the purchaser. Further misbranding was alleged in that the quantity of the contents of the cans was not plainly and conspicuously marked on the outside of the packages containing the article.

On April 1, 1920, Carbone Bros., claimants, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimants upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S233. Adulteration and misbranding of Pepso-Laxatone. U. S. * * * v. 140 Bottles, One Pint Each, of a Drug Labeled "Pepso-Laxatone." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11528. I. S. No. 3055-r. S. No. W-544.)

On or about November 25, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Pepso-Laxatone," remaining unsold in the original unbroken packages at Seattle, Wash., consigned by the Burlingame Chemical Co., Los Angeles, Calif., alleging that the article had been shipped on or about July 1, 1919, and August 18, 1919, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sugar, glycerin, licorice, acids including hydrochloric, small amounts of pepsin, emolin indicating, cascara sagrada, and a trace of volatile oil. No pancreatin was present.

Adulteration of the article was alleged in that its strength and purity fell below the professed standard and quality under which it was sold, since it

contained negligible quantities of pepsin and fluid extract of cascara sagrada and no diastase nor pancreatin.

Misbranding of the article was alleged in that the statement on the label on the bottle containing the article, regarding the article, to wit, "Pepso-Laxatone is a solution of Pepsin, Diastase, Pancreatine, * * * to which is added to each fluid ounce 60 grains of Fl. extract of Cascara Sagrada," was false and misleading. Further misbranding was alleged in that the statements on the label on the bottle containing the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a digestant laxative, an efficient combination of agents for the permanent relief of habitual constipation, gastric disorders, and indigestion, whereas, in truth and in fact, it was not effective.

On January 5, 1920, the Burlingame Chemical Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S234. Adulteration and misbranding of alleged red vinegar. U. S. * * * v. 86 Barrels of a Product Purporting to be Red Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11529. I. S. No. 12768-r. S. No. E-1865.)

On November 25, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of a quantity of a certain product, purporting to be red vinegar, consigned September 24, 1919, alleging that the article had been shipped by Abraham Bros., Providence, R. I., and transported from the State of Rhode Island into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that distilled vinegar colored with caramel had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article. Further adulteration was alleged in that the article was mixed and colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, to wit, "Pure 40 Grain Red Vinegar," was false and misleading. Further misbranding was alleged in that the product was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 7, 1920, John E. Swift, claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S235. Misbranding of McConnon's Stock Tonic. U. S. * * * v. 961 Boxes and Pails, More or Less, of McConnon's Stock Tonic. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11551. I. S. No. 7345-r. S. No. C-1618.)

On December 16, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure

and condemnation of a certain quantity of McConnon's stock tonic, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped on or about March 31, and September 5, 1919, by McConnon & Co., Winona, Minn., and transported from the State of Minnesota into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "McConnon's Stock Tonic * * * Horses * * * for Epizooty, Influenza * * * Hog Cholera * * * Cattle, Milch Cows and Calves * * * Scours."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of salt, charcoal, capsicum, American wormseed, and cereal shorts.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the boxes and pails containing, and in the booklets accompanying the article, falsely and fraudulently represented the article to be effective as a remedy for epizootic and influenza in horses, for hog cholera, and for scours in cattle, milch cows, calves, and swine, whereas, in truth and in fact, it was not effective.

On January 16, 1920, McConnon & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant after payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S236. Misbranding of Tratamiento Zendejas. U. S. * * * v. 43 Bottles Labeled in Part, "Tratamiento Zendejas." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11552. I. S. Nos. 14616-r, 14617-r. S. Nos. E-1883, E-1884.)

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 43 bottles of Tratamiento Zendejas, remaining unsold in the original unbroken packages at New York City, alleging that the article had been shipped on or about September 16, and November 17, 1919, by Panfilo Zendejas, Los Angeles, Calif., and transported from the State of California into the State of New York, and charging misbranding within the meaning of the Food and Drugs Act, as amended. The article was labeled in part, in English and Spanish, "Zendejas Treatment. A strong purifier of the blood, blood depurator for Rheumatism, Constipation, Kidney Troubles, Eczema."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dark-colored solution containing essentially potassium iodid, unidentified plant extractives, and sugar.

Misbranding of the article was alleged in substance in the libel in that the statements in English and Spanish, borne on the label on the bottle containing, on the wrapper enclosing, and in the folder accompanying the article, regarding the curative or therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a strong purifier of the blood, a blood depurator, for rheumatism, constipation, kidney trouble, eczema, for tumors, ulcers, eruptions, and all kinds of suppurated manifestations, for chronic rheumatism, anemia, chlorosis, jaundice, diseases originating from impurity of the blood, pimples, headache, dyspepsia, intestinal irregularities produced by the use of mercury, eczema, epilepsy or fits, insomnia, sores, lack of respiration, sleep, and appetite, poor digestion, constipation, seasickness, neurasthenia,

rheumatism, suppuration of the eyes or ears, tumors, scrofula, suppurating fistulas and tumors which do not heal, some diseases of the sight, nervous affections, paralysis, lack of blood circulation, and certain other disorders, whereas, in truth and in fact, it was not effective.

On February 13, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S237. Misbranding of whole ground barley. U. S. * * * v. New Richmond Roller Mills Co., a Corporation. Plea of nolo contendere. Fine, \$20 and costs. (F. & D. No. 11616. I. S. Nos. 18259-r, 18260-r.)

On January 27, 1920, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the New Richmond Roller Mills Co., a corporation, New Richmond, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 8, 1918, and November 6, 1918, from the State of Wisconsin into the State of Virginia, of quantities of an unlabeled article which was invoiced as "Whole Ground Barley," and which, in each shipment, was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 16, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S238. Adulteration of kidney beans. U. S. * * * v. 569 Cases of Kidney Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11906. I. S. No. 8557-r. S. No. C-1704.)

On February 2, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 569 cases, more or less, of kidney beans, at Chicago, Ill., alleging that the article had been shipped by the New Era Canning Co., New Era, Mich., on August 23, 1919, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "New Era Brand Red Kidney Beans * * * Packed by New Era Canning Co. New Era, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On March 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S239. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25. (F. & D. No. 11978. I. S. No. 2717-r.)

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about January 26, 1918, from the State of New York into the State of Colorado, of a quantity of an article, labeled in part "Extra Fine Imported Olive Oil Lemnos Brand * * * Net Contents $\frac{1}{4}$ Gallon," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents $\frac{1}{4}$ Gallon," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8240. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25. (F. & D. No. 11980. I. S. No. 11653-r.)

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 16, 1919, from the State of New York into the State of Texas, of a quantity of an article, labeled in part "Monaho's Olivo di Oliva Puro Ternini Imerese * * * Net Contents 1 Quart," which was misbranded.

Examination of the article by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Quart," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 1 quart net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 quart net of the article, whereas, in truth and in fact, each of said cans did not contain 1 quart net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

S241. Misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25. (F. & D. No. 11983. I. S. No. 12727-r.)

On June 21, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 16, 1919, from the State of New York into the State of Rhode Island, of a quantity of an article, labeled in part "Monaho's Olio di Oliva Puro Termini Imerese * * * Net Contents 1 Quart," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Quart," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 1 quart net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 quart net of the article, whereas, in truth and in fact, each of said cans did not contain 1 quart net of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

S242. Misbranding of Jay Brand Cottonseed Meal. U. S. * * * v. Roberts Cotton Oil Co., a Corporation (F. W. Brode & Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 12004. I. S. No. 11066-r.)

On April 21, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Roberts Cotton Oil Co., a corporation, doing business at Cairo, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 11, 1918, in the name of F. W. Brode & Co., from the State of Illinois into the State of Michigan, of a quantity of an article, labeled in part "Jay Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Crude fiber-----	17.64
Nitrogen-----	5.19
Ammonia-----	6.30
Protein-----	32.4

Misbranding of the article was alleged in the information for the reason that the following statements, to wit, "Ammonia, Minimum 7.00% Protein, Minimum 36.00% * * * Nitrogen, Minimum 5.75% * * * Fibre, Maximum 14.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 7 per cent of ammonia, not less than 36 per cent of protein, not less than 5.75 per cent of nitrogen, and not more than 14 per cent of fiber, and for the further reason

that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article contained not less than 7 per cent of ammonia, not less than 36 per cent of protein, not less than 5.75 per cent of nitrogen, and not more than 14 per cent of fiber, whereas, in truth and in fact, the article did contain less than 7 per cent of ammonia, less than 36 per cent of protein, less than 5.75 per cent of nitrogen, and did contain more than 14 per cent of fiber.

On May 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8243. Misbranding of screened cracked cottonseed cake. U. S. * * * v. Crescent Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12110. I. S. No. 12038-r.)

On June 16, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Crescent Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 4, 1919, in the name of F. W. Brode & Co., from the State of Tennessee into the State of Kansas, of a quantity of an unlabeled article which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8244. Misbranding of Golden Rule Molasses Fattener. U. S. * * * v. United States Stock Food Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 12109. I. S. No. 12004-r.)

On June 4, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United States Stock Food Co., a corporation, Kansas City, Mo., alleging shipment by said defendant company, in violation of the Food and Drugs Act, on or about April 4, 1919, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "Golden Rule Molasses Fattener," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 12.46 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein 15%," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 15 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article contained not less than 15 per cent of protein, whereas, in truth and in fact, it did contain less than 15 per cent of protein.

On June 12, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8245. Adulteration and misbranding of cottonseed feed and cottonseed meal and cake. U. S. * * * v. Shiner Oil Mill & Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10110. I. S. Nos. 10830-r, 10867-r.)

On May 5, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Shiner Oil Mill & Mfg. Co., a corporation, Shiner, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about August 18, 1918, from the State of Texas into the State of Kansas, of a quantity of an article, labeled in part "Cut Cotton Seed Feed Number Five," which was adulterated and misbranded, and on or about October 16, 1918, from the State of Texas into the State of Kansas, of a quantity of an article, labeled in part "Texoma Brand Prime Cotton Seed Meal and Cake," which was misbranded. The cottonseed feed was represented by the defendant company as analyzing 40 per cent protein and better.

Analysis of a sample of the cottonseed feed by the Bureau of Chemistry of this department showed that it contained 38.40 per cent of protein. Examination showed that the net weight of the contents of 80 sacks averaged 97.82 pounds.

Adulteration of this article was alleged in the information for the reason that a substance, to wit, cottonseed cake containing less than 40 per cent of protein, had been substituted in whole or in part for cottonseed cake containing 40 per cent of protein, which the article purported to be.

Misbranding of this article was alleged in substance for the reason that the statement, to wit, "100 Pounds," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the sacks contained 100 pounds of the article, and for the further reason that it was labeled and described as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks contained 100 pounds of the article, and that said article was 40 per cent protein cottonseed cake, whereas, in truth and in fact, each of the sacks did not contain 100 pounds of the article, but did contain a less amount, and said article was not 40 per cent protein cottonseed cake, but was a cottonseed cake containing less than 40 per cent of protein. Misbranding was alleged for the further reason that the article was cottonseed cake containing less than 40 per cent of protein, and was offered for sale and sold under the distinctive name of another article, to wit, 40 per cent protein cottonseed cake. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Analysis of a sample of the prime cottonseed meal and cake showed that it contained 40.75 per cent of protein.

Misbranding of this article was alleged for the reason that the statement, to wit, "Protein not less than 43%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas, in truth and in fact, it contained less than 43 per cent of protein.

On June 26, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8246. Misbranding of cottonseed meal. U. S. * * * v. Cleveland L. Campbell (C. L. Campbell & Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9895. I. S. No. 15420-p.)

On October 28, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cleveland L. Campbell, trading as C. L. Campbell & Co., doing business at Cairo, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 10, 1918, from the State of Illinois into the State of Michigan, of a quantity of an unlabeled article, invoiced and billed as cottonseed meal, which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 10, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8247. Misbranding of Golden Rule Molasses Feed. U. S. * * * v. The United States Stock Food Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11952. I. S. No. 10700-r.)

On June 2, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United States Stock Food Co., a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 25, 1918, from the State of Missouri into the State of Indiana, of a quantity of an article which was unlabeled, but which was invoiced as "Golden Rule Molasses Feed," and which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On June 12, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8248. Adulteration and misbranding of Milkoline. U. S. * * * v. Robert C. Combs et al. (Milkoline Mfg. Co.). Plea of guilty. Fine, \$120 and costs. (F. & D. No. 9867. I. S. Nos. 10774-m, 8917-p, 8918-p, 5858-r.)

On November 22, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert C. Combs, James E. Chandler, and Carl W. Kent, copartners, trading as the Milkoline Mfg. Co., Kansas City, Mo., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 10, 1917, and September 9, 1917, from the State of Missouri into the State of Kansas, and on or about August 23, 1918, from the State of Missouri into the State of Indiana, of quantities of an article, labeled in part "Milkoline," which was adulterated and misbranded.

Analyses of samples from the several shipments made by the Bureau of Chemistry of this department showed that the product contained free sulphuric acid in amounts varying from 2.88 per cent to 4.06 per cent, and that it was not made from pure buttermilk condensed and modified.

Adulteration of the article in these shipments was alleged in substance in the information for the reason that a substance, to wit, a product which contained added sulphuric acid, had been substituted in part for pure, condensed, modified buttermilk which the article purported to be.

Misbranding was alleged in substance for the reason that the statements, to wit, "Milkoline is pure condensed modified buttermilk," "Milkoline, made from pure buttermilk," and "Milkoline being made from pure buttermilk," borne on the labels attached to the barrels, "Milkoline is pure condensed buttermilk concentrated and modified" and "Milkoline is pure buttermilk condensed and modified," borne on the labels attached to the bottles, and "Milkoline is pure condensed buttermilk concentrated and modified" and "Milkoline is pure buttermilk condensed and modified," borne on the labels attached to the jugs containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a product composed wholly of pure condensed modified buttermilk, and that said product was made from pure buttermilk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a product composed wholly of pure, condensed, modified buttermilk, and that said product was made from buttermilk, whereas, in truth and in fact, said article was not a product composed wholly of pure condensed modified buttermilk, but was composed in part of added sulphuric acid. Misbranding was alleged in substance for the further reason that said statements, designs, and devices regarding the therapeutic or curative effects of the article, borne on the labels of the bottles, barrels, and jugs containing it, falsely and fraudulently represented it to be effective (in case of the article in barrels) to clean out the bowels and intestines of all dead matter and to eliminate the possibility of a disease epidemic, and (in case of the article in bottles and jugs) as a quick and certain death to all disease germs to be found in the large intestines of the fowl, to cleanse the bowels of all dead matter and disease and to prevent most disease common to poultry and hogs, as a treatment for sickly poultry and hogs, and as a preventive against a disease epidemic, whereas, in truth and in fact, it was not effective for the purposes named.

On June 3, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$120 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

S249. Misbranding of Black Beauty Scratch Feed. U. S. * * * v. Superior Feed Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11209. I. S. No. 16268-r.)

On November 7, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Superior Feed Co., a corporation doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 31, 1918, from the State of Tennessee into the State of Georgia, of a quantity of an article, labeled in part "Black Beauty Scratch Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 8.62 per cent of protein and 2.54 per cent of ether extract.

Misbranding of the article was alleged in the information for the reason that the following statements, appearing on the label thereof, to wit, "Guaranteed Analysis: Protein 10.00 per cent, Fat 3.00 per cent," were false and misleading in that they represented to purchasers of the article that the same contained not

less than 10 per cent of protein and not less than 3 per cent of fat, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of protein and not less than 3 per cent of fat, whereas, in truth and in fact, it contained less than 10 per cent of protein and less than 3 per cent of fat.

On July 9, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8250. Misbranding of Knoxit. U. S. * * * v. 15 Dozen Bottles and 30 Dozen Bottles of Knoxit. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 9879, 9880. I. S. Nos. 6871-r, 6872-r. S. No. C-1101.)

On March 11, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on May 27, 1919, amended libels, for the seizure and condemnation of 15 dozen bottles and 30 dozen bottles of Knoxit, remaining in the original unbroken packages at Kansas City, Mo., alleging that the articles had been shipped on or about October 17, 1918, and November 2, 1918, respectively, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute aqueous solution containing essentially zinc acetate, hydrastis, and glycerin, perfumed with oil of rose.

Misbranding in the case of the 15 dozen bottles of Knoxit was alleged in substance in the libel for the reason that certain statements on the bottle labels, cartons, and containers, regarding the therapeutic and curative effects of the article, falsely and fraudulently represented it to be effective as a remedy, treatment, cure, and prophylactic in gonorrhea, leucorrhea or whites, catarrhal affections of the eye, nose, throat, and genito-urinary organs, inflammation, hemorrhoids, ulcers, diseases of the eye and throat, and gonorrhea in women, whereas, in truth and in fact, it was not. Misbranding in the case of the 30 dozen bottles of Knoxit was alleged in substance in the libel for the reason that certain statements appearing on the bottle labels, cartons, and containers falsely and fraudulently represented it to be effective as a remedy, treatment, cure, and prophylactic for inflammation of the mucous membranes, catarrhal affections of the eye, nose, and throat, hemorrhoids, ulcers, diseases of the eye, nose, and throat, gonorrhea and blennorrhea, whereas, in truth and in fact, it was not.

On November 17, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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